

U.S. DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

BILLFISH AND HIGHLY MIGRATORY SPECIES ADVISORY

PANELS

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JOINT MEETING

+ + + + +

MONDAY, MARCH 21, 2005

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The meeting came to order at 1:00 p.m. at
the Holiday Inn, Silver Spring, Maryland.

ADVISORY PANEL ROSTER:

NELSON BEIDEMAN	Blue Water Fisherman's Association
WILLIAM GERENCER	Marine Trade Center
DEWEY HEMILRIGHT	F/V Tar Baby
RUSSELL HUDSON	Directed Shark Fisheries, Inc.
GAIL JOHNSON	Pocahontas, Inc.
DON NEHLS	Lindgren-Pittman, Inc.
PETE MANUEL	
RICHARD RUAIS	East Coast Tuna Association
PETER WEISS	General Category Tuna Association
JAMES DONOFRIO	Recreational Fishing Alliance
MICHAEL LEECH	International Game Fishing Association
JOE McBRIDE	Montauk Boatmen & Captains Association

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RUSSELL NELSON	Nelson Resources Consulting
MARK SAMPSON	Ocean City Charter Boat Captain's Association
RICHARD B. STONE	
WILLIAM UTLEY	Coastal Conservation Association
ROM WHITAKER	Hatteras Harbor Charter Boats
SHANA MILLER	
RAMON BONFIL	Wildlife Conservation Society
SONJA FORDHAM	The Ocean Conservancy
MERRY CAMHI. Ph.D.	Independent Consultant
DR. PHIL GOODYEAR	
DR. ROBERT HUETER	Center for Shark Research
DR. JOHNS GRAVES	Virginia Institute of Marine Science
JULIE MORRIS	Gulf of Mexico Fishery Management Council
BOBBI WALKER	Gulf of Mexico Fishery Management Council
FRANK BLOUNT	New England Fishery Management Council
DR. LOUIS DANIEL	South Atlantic Fishery Management Council
RICKS E. SAVAGE	Mid Atlantic Fishery Management Council
ROBERT PRIDE	eBusiness Solutions, Inc.
EUGENIO PINELRO-SOLER	Caribbean Fishery Management Council
LARRY SIMPSON	Gulf States Marine Fisheries Commission
JOHN V. O'SHEA	Atlantic State Marine Fisheries Commission

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RANDY BLANKENSHIP	Texas Parks and Wildlife Department
PRESTON P. PATE	NC Division of Marine Fisheries
DAVID M. CUPKA	SC Department of Natural Resources
GLENN ULRICH	SC Department of Natural Resources
HENRY ANSLEY	Georgia Coastal Resources Division
HOWARD KING	Maryland Department of Natural Resources
JACK DEVNEW	Blue Water Fisherman's Association
WILLIAM ETHERIDGE	NC Fisheries Association
PAMELA BASCO	GFMC Advisory Panel
ROBERT F. ZALES, II	
DR. JOHN M. DEAN	South Atlantic Management Council
KIM AMENDOLA	Florida Fish and Wildlife Conservation Commission

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GREETINGS AND INTRODUCTIONS

MODERATOR CHRISTOPHER ROGERS: Welcome everybody to Silver Spring. Once again for those on the ICCAT Advisory Committee meeting, it hasn't been that long. I thought -- we'll just introduce a few new panel members, but then for the benefit of everybody we'll go around the table for introductions.

Othel (phonetic) has set up a sign-in sheet, and that is important for us, so I do appreciate if you can actually sign in. Some of the situations that have manifested themselves in the past so that individuals can, depending on circumstances, wear one hat or another, whether they're representing a state or a council.

So especially for those ex-officio offices, the State's Council Commissions, it's good for us to have that signed in so we can ascertain who exactly is at the meeting and the hat that they are wearing. With respect to the appointed members, I just wanted to point out a few new folks, Dewey Hemilright, where are you at? There he is, welcome Dewey, and Jaime Alvarado. I guess the new folks are actually finding the corner there to their liking. And Dick Stone, so Dick Stone is a fixture around here.

As far as proxies, I did understand that

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1 Glenn Delaney would be here representing Don Nehls --
2 Glenn, I see Glenn here, and Robert Fitzpatrick would
3 be representing Peter Weiss. And I wasn't sure
4 whether we heard back from Mark Sampson, Mark Sampson
5 here? He did indicate he had some trouble attending
6 and wasn't sure whether he had found a proxy or not,
7 and Merry Camhi was unable to attend, she was working
8 on a proxy, but hadn't got any confirmation, no, and
9 then Peter Manuel.

10 Pete, why don't you come over here and sit
11 with the new guys over there? I'm just kidding you,
12 I'm just kidding you -- you are in good company there
13 between Richard Ruais, and Bob McAuliffe.

14 But real quickly let's maybe just go around
15 the table, starting over here with Ramon, so everybody
16 can identify themselves. And if you are an ex-officio
17 council or state, just indicate who you're
18 representing, if you are an appointed member, whether
19 you are representing commercial, recreational,
20 environmental, or academic interests. Thank you.

21 MR. BONFIL: Ramon Bonfil, Wildlife
22 Conservation Society, environmental.

23 MR. DELANEY: Glenn Delaney, I'm sitting in
24 for Don Nehls, Commercial Sector.

25 MR. BEIDEMAN: Nelson Beideman, Blue Water

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1 Fisherman's Association.

2 MS. JOHNSON: Gail Johnson, Commercial
3 Fishing Vessels Seneca.

4 MR. HINMAN: Ken Hinman, National Coalition
5 for Marine Conservation, environmental.

6 MR. McAULIFFE: Bob McAuliffe, St. Croix,
7 commercial.

8 MR. MANUEL: Pete Manuel, Winter Bluefin
9 Association, commercial.

10 MR. RUAIS: Richard Ruais, with East Coast
11 Tuna Association, commercial.

12 MR. ULRICH: Glenn Ulrich, South Carolina,
13 State Representative.

14 MR. ANSLEY: Henry Ansley, Georgia State
15 Representative.

16 MR. GERENCER: William Gerencer, HMS,
17 commercial, Bowdoin, Maine.

18 MR. WHITAKER: Rom Whitaker, Hatteras
19 Charter Boat, recreational.

20 MR. DANIEL: Louis Daniel, today I'll be
21 representing North Carolina.

22 MS. MERRITT: Rita Merritt, South Atlantic
23 Council, I'm filling in for John Dean.

24 MR. DITTON: Texas A&M University,
25 academic.

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1 MODERATOR CHRISTOPHER ROGERS: I apologize,
2 Bob, I missed you. Bob is one of our new appointees
3 as well; should have sat amongst the other new
4 members, I would've noticed you. Sorry about that.

5 MR. GOODYEAR: Phil Goodyear, Independent,
6 academic.

7 MS. PEEL: Ellen Peel, The Billfish
8 Foundation, recreational.

9 MR. NELSON: Russell Nelson, recreational.

10 MS. WALKER: Bobbi Walker, Gulf of Mexico
11 Fishery Management Council.

12 MR. ZALES: Bob Zales, II, Recreational,
13 for hire.

14 MR. HUETER: Bob Hueter, Mote Marine
15 Laboratory, academic.

16 MS. FORDHAM: Sonja Fordham, The Ocean
17 Conservancy, I'm an environmentalist.

18 MR. BLOUNT: Frank Blount, New England
19 Council.

20 MR. McBRIDE: Joe McBride, New York State,
21 Montauk Boatmen and Captains Association.

22 MR. UTLEY: Bill Utley.

23 MR. LEECH: Michael Leech, IGFA,
24 recreational, I'm on the HMS committee.

25 MS. BASCO: Pam Basco, recreational.

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1 MR. BLANKENSHIP: Randy Blankenship, Great
2 State of Texas.

3 MR. WEBER: Rick Weber, South Jersey
4 Marina, recreational.

5 MR. FITZPATRICK: Robert Fitzpatrick,
6 Maguro America, representing Peter Weiss, commercial.

7 MR. GRAVES: John Graves, Virginia
8 Institute of Marine Science, representing the ICCAT
9 Advisory Committee.

10 MR. STONE: Dick Stone, National Marine
11 Manufacturers Association, recreational.

12 MR. HEMILRIGHT: Dewey Hemilright,
13 Commercial Fishing.

14 MR. ALVARADO-BREMER: Jaime Alvarado-
15 Bremer, Billfish AP.

16 MS. LENT: Rebecca Lent, deputy for
17 Regulatory Programs.

18 MR. DUNNIGAN: Jack Dunnigan, NOAA.

19 MODERATOR CHRISTOPHER ROGERS: All right.
20 Thank you, as far as HMS, we have pretty much the
21 entire staff here to support you throughout the
22 meeting. We do have a few new faces that you might be
23 interested in -- I'm sure you're interested in the old
24 ones as well, but Megan Gamble has joined us from the
25 Atlantic State -- Jack is -- he always brings some of

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1 the franchise players with him, as he had done
2 previously, and Jackie Wilson over here is our Sea
3 Grant Fellow for the year.

4 And next to her we have George Silva, who is
5 a recent acquisition in our Economics Department and
6 Mike Clark is probably a familiar face, because he was
7 a Sea Grant Fellow with us last year. But now he's a
8 full-time equivalent, as we say in the Federal
9 Service. Probably a little bit more than a full-time
10 equivalent, he's got a lot of energy.

11 The rest of the HMS staff here, we have
12 Heather, Russ, Mark, and Dianne, Carol, Chris Willing,
13 Juran, Ophel in the back. You all know Ophel, and
14 make sure you sign in, and work out all your vouchers
15 with Ophel, travel vouchers. Joe, Rick Pearson in the
16 back, Brad McHale, and Ron Ronaldo (phonetic) and a
17 couple of other NMFS offices represented. Anybody
18 else from NMFS want to stand up and identify
19 yourselves, like? No, nobody wants to. Okay.

20 Those in the enforcement arena often want
21 to observe without being noticed, right? Okay.
22 Rebecca, deliver a few words to get us started here.

23 MS. LENT: Okay, thank you very much,
24 Chris, and good afternoon everybody, it's nice to see
25 everybody again. Some people have totally new looks,

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1 I frankly would not have recognized you, I hope you
2 recognize me with my new look. Good to see new faces
3 on the advisory panel, great to see Dick Stone, the
4 man who gave me my first job in NMFS. Thank you,
5 Dick, now we're punishing you for that by putting you
6 on this panel. Nice to see an economist join, Dr.
7 Ditton, good to have you with us. And I wanted to
8 thank all of you on behalf of Bill Hogarth for all
9 that you do. We know that you come here at your own
10 time and it takes you away from your day jobs, and
11 all of you have very busy day jobs, and we do
12 appreciate that.

13 Bill wanted me to come here today also to
14 let you know of some decisions that he's taken
15 regarding the future of all the efforts that interest
16 us here in this room in terms of highly migratory
17 species in the Atlantic. And looking over the next
18 four years that Dr. Hogarth is facing, he notes an
19 increased workload and a lot of increased emphasis on
20 ICCAT issues of the international aspects of the
21 Atlantic highly migratory species. He is looking at
22 that increased emphasis not only because there are a
23 lot of issues coming down the pike and there's just
24 an incredible workload in terms of species with new
25 stock assessments and looking at finally resolving

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1 some of the International Management issues, but also
2 because Dr. Hogarth is trying to be chair of ICCAT,
3 which would be a great thing, it would be good for
4 the U.S. to chair, and I think Bill has learned to
5 speak and enunciate more slowly so that the
6 translators can actually translate his English.

7 So given that increased emphasis Bill needs
8 a strong team internationally, and he has asked Chris
9 Rogers to take a more focused role at ICCAT. As you
10 know, Chris has been going to ICCAT regularly, and is
11 just a superstar as I understand, I haven't
12 witnessed, but I've heard the tales, in terms of
13 compliance by other countries, both member and non-
14 member countries. And this is a critical part of
15 getting the management programs to work.

16 In fact there was a big issue last week at
17 the Food and Agricultural Organization, FAO meetings,
18 they said, "Well, these are FMOs, these regional
19 fishery management organizations are all set up, but
20 are they really performing?" And this is where the
21 rubber meets the road.

22 So in that new role, Chris will be moving
23 to our new -- if you haven't heard yet, we have a new
24 office of International Fisheries, that's headed up
25 by Jean-Pierre Ple, we stole him from the State

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1 Department, fair and square. And Chris will be
2 working on those issues as well as some of the other
3 issues related to International Management and making
4 sure that International Management -- Science and
5 Management gets the resources that it needs through
6 our programming and budgeting process.

7 Well, as you know that leaves the HMS
8 domestic leadership plate open, and luckily, Margo
9 Schulze-Haugen -- I'm sure you all remember Margo
10 from a couple of years ago. She's since had some
11 other work experiences, but she is willing to step in
12 and serve as the acting division chief. And knowing
13 from personal experience, as Dick Stone knows, as I
14 know, as Bill Hogarth knows, as Chris knows, it's a
15 very tough job, so we do appreciate Margo stepping
16 forward. We appreciate all of you supporting her and
17 working with Margo and the team to make sure that we
18 meet our domestic goals while strengthening the
19 international program.

20 So thank you for that and I might ask Margo
21 just to say a few words to get back in the fray.
22 Margo?

23 MS. SCHULZE-HAUGEN: Well, hello. I'm
24 excited to be back. It is a huge opportunity and a
25 huge challenge for me, I've been away from HMS a

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1 little while, doing more strategic planning and
2 budgeting for Fisheries Management. So I've been
3 aware of HMS activities and issues, although not as
4 directly involved as obviously I will be now.

5 So I'm going to be taking this time, at
6 this meeting, to reacquaint myself with all of you
7 that I know, meet some of the folks that I don't, and
8 mostly listening and learning as we go into Amendment
9 2 and trying to come to terms and get my head around
10 all of the issues and things to be resolved. So
11 please feel free to contact me, seek me out, I'd like
12 to talk to each and every_one of you. And I'll be,
13 like I said, taking over from Chris and trying to
14 fill some mighty big shoes in the next couple of
15 weeks. So thank you.

16 MODERATOR CHRISTOPHER ROGERS: Any words
17 from you or --

18 SPEAKER: No.

19 MODERATOR CHRISTOPHER ROGERS: Thank you
20 Margo, I'll be seeing you, bye. Now, Margo did want
21 to get briefed, and I said, "Well, here is a great
22 opportunity to get briefed on all the current issues.

23 So spend three days with us and you'll be up to
24 speed." I was remiss, I guess that we have some panel
25 members who were not at the table. I see Rusty Hudson

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1 and Willy Etheridge in the back.

2 Is there anybody else who I didn't
3 recognize, a panel member? Okay. Well -- we're sorry
4 we don't have space on the table. We'll see if we can
5 correct that. I don't know that we can do that during
6 the break today, but certainly by tomorrow morning.

7 Okay. Well, again welcome, the objective of
8 this meeting is a little bit different from some of
9 the past insofar as we have a lot of activities,
10 actions that are in the pipeline, the most important
11 being a amendment to the plan, both plans in fact; the
12 billfish plan and the HMS plan, and that is one of the
13 items that we will discuss shortly, the consolidation
14 of the two plans.

15 But the objective of the meeting --
16 obviously we've released this pre-draft a couple of
17 weeks ago, you've all received a copy of it I hope.

18 We mail those out to the panel members and what we
19 want is to have a frank discussion with the panel with
20 respect to your views on the options, alternatives,
21 presented in the pre-draft, so that we can narrow in
22 on what we call, in the National Environmental Policy
23 Act parlance, the preferred alternatives.

24 We will take those preferred alternatives
25 out to the public in a formal draft in a proposed

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1 rule, and then have another opportunity for comment.
2 We do plan on having another convening of the panel at
3 that point to review public comment before we go
4 finalize. So it -- it's on a pretty auspicious
5 timeline to try to complete before this year is out.
6 A lot of issues have been pressing for a number of
7 years and it was time to get on with this major
8 undertaking.

9 So again, our hope is that we can have a
10 good discussion, open discussion, of the issues and
11 seek to narrow in on the preferred alternatives for
12 the formal draft document that will come out later
13 this spring.

14 To that end we will follow our normal
15 procedures of going around the table and making sure
16 that we get the input from all parties, all the
17 sectors represented, but because of the number of
18 issues we're going to have to be very cognizant of
19 time at this meeting and try to get on with the
20 conversation as quickly as possible. So I know John
21 Graves is well experienced in this avenue of moving
22 the discussions along in his role as the ICCAT
23 Committee Chair.

24 So if I'm not as tough as he is, I'll ask
25 for his advice during the breaks, but we really will

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1 need to move along, given the amount of material that
2 we have to cover. So with that, just to call
3 everybody's attention to the agenda, we're going to
4 give you some summary information to get started.
5 Then we'll have a break and we will deal with several
6 management actions that are on the table currently
7 very quickly this afternoon.

8 If we can get through those and their
9 entirety, maybe we can have some time at the end for a
10 more open discussion. But again these are actions
11 that are on the table currently, independent of this
12 process with the plan amendment. The Federal
13 Register Notices have been filed, we are in active
14 comment periods, and I just wanted to go through
15 those with the panel.

16 Tomorrow we'll begin the formal discussion
17 of the draft document, starting off with bycatch
18 reduction workshops, bycatch reduction continued in
19 the areas of time/area closures, evaluating what we
20 currently have in place, and seeing how effective
21 they've been and what changes might be necessary.
22 Then getting into essential fish habitat, we'll have
23 a brief public comment period for any members of the
24 public who are here.

25 If we don't have a lot of demand for public

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1 representation we'll move on with the panel members,
2 and getting into rebuilding and preventing
3 overfishing for northern albacore. After a little
4 lunch break -- rebuilding for finetooth sharks and
5 billfish, rebuilding and preventing overfishing for
6 billfish continuing after the break. We figure the
7 billfish will take some time to deal with, given all
8 the issues with the Billfish Fishery, the status
9 review for white marlin, and the international
10 efforts at ICCAT.

11 We're going to have a special session
12 tomorrow evening, Bluefin Tuna Recreational
13 Management and Monitoring, for those -- certainly
14 those on the ICCAT Advisory Committee, this has been
15 an ongoing subject, certainly also this panel. But
16 there was a review of prior year landings for 2002-
17 2003 that has caused a lot of concern on how we
18 updated the regulations and management for bluefin
19 tuna. And it's clear that we really need to make
20 some changes there to improve the situation.

21 So that session will go from about 5:15 to
22 6:45 tomorrow evening. Hopefully nobody will miss
23 dinner over it, should be plenty of places in Silver
24 Spring that are still open at 6:45 in the evening.
25 Continue the discussion of the pre-draft beginning

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1 Wednesday morning, management program structure,
2 bluefin tuna quota management; this is primarily a
3 situation of managing several different categories of
4 bluefin tuna fishing.

5 Again, the evening before we're going to
6 focus on the angling category, but these will be
7 broader-based issues on bluefin tuna quota management,
8 between categories and to some extent within
9 categories, how we might handle transfers and in-
10 season actions to fully allocate fishing
11 opportunities. Have a discussion of fishing years at
12 9:45, just going over the transition -- at least the
13 views expressed internally within the agency that we
14 have not in a sense borne fruit, so to speak, for that
15 change from a calendar year to a fishing year
16 management cycle. And a lot of concerns whether the
17 operation would be more efficient in going back to a
18 calendar year.

19 After lunch we'll get into authorized
20 gears, some questions on authorized gears in the --
21 particular in the tuna fisheries, spearguns and
22 greenstick in particular. A discussion for some of
23 those who are really into regulatory tax, this one is
24 going to be fascinating. For those who don't really
25 care for it, it might be a little bit tough to get

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1 through, but a lot of what we call housekeeping, just
2 matters of clarifying the regulations, correcting
3 cross-references -- but some of them do have some
4 substantive effect like divining pelagic longline
5 gear has an impact on whether or not VMS is required
6 and things like that. Or with respect to whether a
7 vessel can fish in a closed area.

8 So sometimes a definitional change has some
9 substantive impacts that need to be addressed. In
10 the afternoon, on Wednesday, we have received a
11 petition from the State of North Carolina for
12 rulemaking with respect to managing sharks,
13 particularly surrounding the closed area off of North
14 Carolina that was implemented in Amendment 1 to the
15 FMP.

16 At 3:00 p.m. we had some enforcement issues
17 that we wanted to raise, looking for some
18 clarification on ways to address them. Another
19 public comment period and then a wrap-up, summarizing
20 the major discussions to the extent that we have
21 identified preferred alternatives. We can review
22 those to the extent that we have identified new
23 options. We'll make sure that you're convinced that
24 we heard you and we got them written down. And then
25 we'll talk about the next AP meeting after the formal

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1 public comment period when the draft and proposal
2 will go out this summer.

3 And we'll adjourn promptly at 5:00 p.m. on
4 Wednesday. I'm sure some of you folks have flights
5 already booked and we don't want you to miss those,
6 but again, we do anticipate there'll be a full agenda
7 on Wednesday afternoon. Any comments or concerns
8 about the agenda? Nelson?

9 MR. NELSON: Actually, it's Russell, Chris.
10 The -- you know, the agenda is very well laid out
11 here, and the discussion points clearly specified for
12 Tuesday, but there is really no place that I -- and I
13 could be wrong, maybe you can point out to me where I
14 missed it, but there doesn't seem to be any place in
15 here for a discussion of the consolidation idea
16 itself. And particularly, I think that we need to
17 have some discussion on some of the proposed
18 revisions to the objectives, which you've had in
19 place in the plan.

20 So if that is not here, I would certainly
21 like to see us add that specifically early on
22 tomorrow, a discussion of the consolidation and a
23 discussion of the change in objectives.

24 MODERATOR CHRISTOPHER ROGERS: We actually
25 have that right up-front, under summary information

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1 at 1:30, so we'll be getting into that area right
2 next.

3 MR. NELSON: Okay. Well, I was confused
4 then, Chris, because the summary information sounds
5 to me like what you're going to tell us, as opposed
6 to a discussion.

7 MODERATOR CHRISTOPHER ROGERS: Yes.

8 MR. NELSON: But let's see how it goes, but
9 I'm not certain that we're going to have ample time
10 to deal with it.

11 MODERATOR CHRISTOPHER ROGERS: Yes, we'll
12 see how that discussion goes then. If necessary, we
13 can see where it might fit in later, but again, we
14 didn't envision that it would warrant as much
15 development as some of the other substantive issues.

16 Any other comments or concerns on the agenda?

17 All right, we'll consider the agenda
18 adopted, and move on into our summary information
19 section. The 2005 Stock Assessment and Fishery
20 Evaluation Report, or SAFE report, what we elected to
21 do in this case was to make it part and parcel of the
22 pre-draft, so it's basically Chapter 3 in this
23 document, it will serve as our SAFE report for 2005.

24 The reason we did that was not only to save time and
25 a lot of paper, but also your time as reviewers,

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1 since it was going to form the basis -- the
 2 background information for the plan amendment. It
 3 just seemed appropriate to have that part and parcel
 4 of the same document.

5 So it's there, I don't know that everybody
 6 has had a chance to review it thoroughly, but to the
 7 extent that you can comment on any information you
 8 feel needs to be corrected, any deficiencies that you
 9 want to recommend that we address, either in this
 10 process or in future SAFE reports, please let us
 11 know. And we'll take comment on that in the regular
 12 comment on the pre-draft through March 31st, and
 13 certainly to the extent that comments on the SAFE
 14 report would carry forward to future years.

15 Certainly the panel members who have a
 16 substantive input beyond that March 31st with respect
 17 to the SAFE report, please don't hesitate to call us
 18 and talk to us about it just because you passed the
 19 comment period on the pre-draft. Management actions
 20 for -- Bob Zales?

21 MR. ZALES: I kind of like what Russell was
 22 talking about on the consolidation, "Are we not going
 23 to discuss any of this, you're just going to tell us
 24 all this?" And my question would be, because of a
 25 piece of paper that I saw back there that I have,

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1 regarding the charter/headboat rates and HMS, which
2 is in the SAFE report, are we going to discuss that
3 here or you just want us to send comments there?
4 Because I've got some comments.

5 MODERATOR CHRISTOPHER ROGERS: For
6 something like that, yes, we'd probably -- better to
7 take those comments offline. This is our first
8 attempt to provide that baseline information, if you
9 have some comments on it -- George Silva, in
10 particular, George could you raise your hand again?
11 If you give those to George, if there is an omission
12 or a correction, we'll try to get it into the formal
13 draft. If it's just a matter of talking about
14 methods or procedures to summarize that kind of
15 information, I'm sure George would be interested in
16 that as well.

17 MR. ZALES: Okay, so just get with him and
18 discuss it with him.

19 MODERATOR CHRISTOPHER ROGERS: Yes.

20 MR. ZALES: All right.

21 MODERATOR CHRISTOPHER ROGERS: Thank you,
22 management actions completed in 2004, for those
23 who've followed one of our major initiatives in 2004,
24 this was a rule to reduce bycatch of turtles in the
25 pelagic longline fishery that was precipitated by a

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1 re-initiation of consultation on the fishery and that
2 was attributed to exceeding the incidental take
3 statement that had been previously authorized. That
4 final rule did require the use of 18-knot or 16-knot
5 circle hooks with or without an offset and with or
6 without certain bait combinations.

7 It's quite a big impact we expect to see on
8 the -- not only the take of turtles but certainly the
9 post-release mortality insofar as reducing that. So
10 again, that was a major undertaking; the final rule
11 filed last July, and we've had several workshops with
12 the industry during the course of the fall. And
13 certainly, more workshops are envisioned as part of
14 this process and we'll be discussing that later on in
15 the meeting.

16 But again, we're quite hopeful that the use
17 of these larger circle hooks and bait combinations
18 will have an effective impact on reducing turtle
19 takes and post-release mortality for turtles in the
20 pelagic longline fishery. We did publish a final
21 rule for sharks, adjusting quotas. Again, in
22 Amendment 1 we had changed from a semiannual to a
23 trimester approach to shark season management. And
24 there were some issues regarding carry forward of
25 prior-year underharvest and overharvest and setting

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1 season dates. That isn't completely finished because
2 we do have a proposed rule on the street currently to
3 refine this issue a little bit further and we'll be
4 discussing that shortly.

5 We did the VMS implementation for the
6 bottom longline fishery, chiefly to the shark
7 fishermen. We had previously implemented VMS for the
8 pelagic longline fleet. And ICCAT trade restriction
9 rule for certain countries, some lifting, some
10 imposing, an ICCAT statistical document rule was
11 completed that implements the swordfish and bigeye
12 tuna statistical documents as well as made some
13 modifications to bluefin program.

14 The major change there was a new style of
15 permit will be required for importers and exporters
16 of swordfish, bigeye, and bluefin that we will call
17 the HMS International Trade Permit and that becomes
18 effective on July 1 this year. And we have some
19 information to report after the trade shortly insofar
20 as a compliance guide on how to get that permit and
21 where to send your reports. The swordfish quota rule
22 was just establishing some of the new quotas for the
23 ICCAT rebuilding plan, and again dealing with
24 overharvest or underharvest; in this case
25 underharvest from prior years.

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1 We propose bluefin tuna quota
2 specifications for the 2004 fishing year.
3 Unfortunately it was not a completed action in 2004.
4 For those who were following the issue closely it was
5 dependent on a final report from an internal
6 committee that Bill Hogarth had commissioned to deal
7 with revising the estimates of 2002 and 2003 in the
8 angling category. And consequently, we couldn't
9 complete that rulemaking until that report was out.

10 That was discussed at great length at the
11 ICCAT Advisory Committee meeting. I still have some
12 work to do to follow up on that. So we did finally
13 issue the final initial specs a couple of weeks back.
14 And pretty much fishing has ended for the season,
15 but we do have the '05 specs out, a much quicker
16 turnaround on the '05 specs, and we'll be talking
17 about that later on this afternoon.

18 And then the scoping for the consolidated
19 HMS FMP was undertaken last summer. We met with all
20 the councils and had several scoping meetings up and
21 down the coast, and this is the next step in that
22 process. So that's what we had in terms of
23 management actions completed in 2004 and obviously a
24 number on the plate for 2005. Any questions on that?

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25 No one wants to say congratulations for

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1 getting the '05 specs out much sooner than the '04
2 bluefin specs? All right, thank you, thank you.
3 Margo promises they'll never be late again, right?
4 John Graves is going to give us a brief update of the
5 International Commission meeting that was held in New
6 Orleans, first time ever hosted by the United States.
7 Thank you, John.

8 MR. GRAVES: Thank you, Chris.

9 (Tape Interruption)

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10 MR. GRAVES: -- parts that really expand, so
11 that ICCAT take a greater control over bycatch species
12 as well as the target species. With bigeye tuna, the
13 ICCAT had been having a series of one-year management
14 measures for bigeye tuna. We wanted to get something
15 that was longer term in place.

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16 For bluefin tuna we wanted ed to extend the
17 current management measures that were in place through
18 2005, which is when we wanted the assessments to occur
19 in 2005 and it was -- that was made coincident with
20 the scheduled assessment for the eastern management
21 unit. And also to delay any kinds of allocation
22 discussions until that time.

23 And with swordfish, with the assessment
24 schedule for 2006, management measures were scheduled
25 to expire in 2005, just to extend those. And again,

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1 postpone allocation discussions until 2006. So those
2 were sort of our major objectives that we went into
3 the meeting with.

4 The meeting dynamic -- this was the first
5 time that the United States has hosted an ICCAT
6 meeting; we did it in New Orleans. And that went
7 really well and we had our Sunday evening reception
8 and we had a -- instead of sort of the big dinners
9 that they usually have, we had a Mardi Gras parade,
10 down the Canal Street, and then a dinner at Jasper's.

11 And that was I think a highlight for many of the
12 participants.

13 But in terms of the meeting itself, even
14 though the chairman of the commission had tried to
15 push to have all management measures, proposed
16 management measures for species introduced by the
17 first day of the meeting, he eventually backed off and
18 said Wednesday.

19 Well, it turns out the bigeye management
20 measure was submitted on Wednesday but the EC told the
21 secretary to hold and not to distribute it. So we
22 didn't see the bigeye management measure until the
23 second to last day of the meeting. So even though we
24 tried to have it arranged so that we wouldn't be
25 dealing with things at the last minute, that's the way

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1 the EC likes to play the game and the chairman, Mr.
2 Neil O'Hara (phonetic) was completely ineffectual or
3 at least complicit with letting that happen.

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4 So I'll just go through the four species
5 panels and show you the major measures with bigeye
6 tuna. We did on the last day get a measure, but in
7 2004 they were assessed and the current biomass of
8 bigeye tuna is right about that, what you'd want from
9 maximum sustained yield. However, when they were
10 doing the assessment there were some problems with
11 reporting of catches from the Atlantic, and it turns
12 out that Taiwan had a small glitch of misreporting.

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13 Somewhere between 4000 and 23,000 metric
14 tons of bigeye tuna has been from the Indian Ocean
15 where there is no quota in the IOTC, as opposed to the
16 Atlantic. So that's a big problem, both Taiwan and
17 China have been overharvesting their catch limits for
18 several years. And then the bigeye tuna
19 recommendation, when it finally came out, the EC in --
20 we have trilateral meetings with -- quadrilateral
21 meetings with the EC, so -- before we go into the
22 ICCAT meeting, so that they have, you know, that we
23 know, Canada knows, Japan knows, and we also include
24 Mexico now and we've got to have an idea where
25 everybody wants to go.

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1 And the EC said we'll take care of bigeye,
2 so we didn't really have a spare management measure in
3 our pocket, and so that hurt us a little bit in our
4 negotiations. But the recommendation that came out
5 has some good things and it's got some bad things.
6 First of all it included the capacity limitation for
7 Taiwan, China-Taiwan, and the Philippines, the payback
8 schedule for the overharvests of China-Taiwan.

9 So they agreed that yes, they'd
10 overharvested and they also said yes, we'll pay that
11 back. They have a schedule -- a realistic schedule to
12 do that. There are catch limits for the major
13 harvesters, so the major players in bigeye tuna -- of
14 course we're a very minor player, have catch limits,
15 but there are not -- there are no catch limits for
16 minor harvesters.

17 And this is the way it's been the last
18 couple of years, and so it turns out that, for
19 instance, Brazil, as long as they're catching less
20 than 2100 metric tons in the year of record; they can
21 -- they don't have a catch limit. So they can go
22 ahead and expand their catch limits, as can any of the
23 minor harvesting nations. So without a catch limit on
24 that, it's giving them the opportunity to say we want
25 to become a player or be considered the next time. So

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1 that's something we have to watch out for.

2 The minimum size for bigeye tuna was
3 removed. The minimum size recommendation as a
4 management measure has been completely ineffectual,
5 because in the purse seine fishery, the minimum size
6 doesn't do you much good. When the fish are pursed in
7 the hold, they are dead. So you've got a problem
8 there. So that was removed. There was a change in
9 the Gulf of Guinea time/area closure. Now, previously
10 there had been a closure in the Gulf of Guinea for
11 three months, which protected -- essentially, it just
12 reduced fishing on FADs for this area for three months
13 and that reduced the catches of tuna -- the bigeye
14 tuna and the yellowfin tuna which all school with the
15 skipjack tuna, which is the major fishery in that
16 area.

17 But what happened was that the EC proposed
18 this measure without any supporting science
19 whatsoever, which is -- that's a very bad precedent to
20 start with. Usually you would want ICCAT's fisheries
21 science body; their standing committee on research and
22 statistics to approve any measure before it went to
23 the commission as a whole, but in this case that
24 didn't happen. So instead of three months it's now a
25 one-month closure, it's a smaller area than before.

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1 And instead of just a closure on fishing on FADs, it's
2 a one-month closure on the surface fishery, so that
3 would be purse seine.

4 However, what's not clear in there is
5 whether they have to pull the FADs out of the water.
6 So if the FADs are still soaking in that area over
7 that time, they are still aggregating fish. If they
8 drift out and maybe fish, if a boat chooses to slowly
9 tow a FAD out of the area and fish on, can they do
10 that? Or do they just sit in that area aggregating
11 fish and on the day -- at the end of the 30-day
12 closure, they go and -- and it's an open season, and
13 you really haven't produced your fishing mortality on
14 the juveniles at all.

15 So -- but on the good hand, the SCRS is
16 going to be reviewing this this year and there is in
17 fact an SCRS intercessional workshop to look at that
18 and for them to make recommendations for the meeting
19 in November. (inaudible) tunas, northern Albacore,
20 the assessment was moved from 2006 to 2007. You're
21 going to see we have already piled up a lot of
22 assessments in 2006.

23 And with this also then you have northern
24 and southern albacore stocks being assessed during the
25 same year. And the current -- but it's important to

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1 note that the current management measures for northern
2 albacore expire in 2005, so this year we are going to
3 have to go ahead and make sure that those are extended
4 through 2006.

5 Bluefin tuna, well, we wanted to postpone
6 the assessment until 2005, the EC said they are having
7 so much problem with their data that we couldn't
8 possibly have an assessment in 2005, it's got to go to
9 2006. So we said okay, we -- you know, our big point
10 is that we should be assessing these together at the
11 same time, so both are postponed until 2006. And then
12 we'll also postpone allocation discussions until that
13 time. The third meeting for the working group to
14 develop integrated management strategies is going to
15 be held in April in Japan. This was a big push by the
16 United States to look at alternative management
17 strategies for bluefin tuna and not just using this
18 archaic one-stock, two-stock type of models, but
19 looking at the dynamics of the fishery.

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20 And so that will happen April 20 -- in fact,
21 April 20th in Japan, the resolution -- in an ICCAT
22 parlance, a resolution is non-binding, a
23 recommendation is binding. So this is just a
24 voluntary measure to cap pelagic longline effort in
25 the central North Atlantic and to extend it through

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1 2005, but again since we are going to 2006, with the
2 other measures, this will have to be extended through
3 much of next year.

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4 Within the Med, the EC wanted a measure to
5 help reduce the sale of recreational fish and also to
6 define recreational gear, so longlines, purse seine,
7 and circling nets are no longer considered to be
8 recreational. Minimum size in the Mediterranean was
9 increased from 6.4 to 10 kilos. That's only within
10 the Med, outside of the Med it's 6.4 kilos, in the
11 eastern Atlantic. And also there is a new
12 recommendation on bluefin farming. It was not a very
13 needy recommendation, it was surely much less than
14 what the Advisory Committee would have liked,
15 especially the U.S. delegation as a whole.

16 There is slightly improved data collection
17 and reporting but observers are not required for the
18 transfer of fish from purse seine to the cages and
19 there is no provision for direct measurement of
20 bluefin transferred from the vessel. So again, a lot
21 of the bluefin in the Mediterranean are going to these
22 operations and we don't have a very good handle on the
23 size of the fish that are going into it, the mortality
24 associated with the transfer process or the caging
25 process. And those are the things that you would like

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1 to have.

2 And so hopefully we can get some stronger
3 measures in the years to come. How free are the
4 (inaudible) tuna south, but southern bigeye has its
5 own commission, so we're only looking at southern
6 Albacore here. Big news is that we went from a one-
7 year to a multiyear recommendation on southern
8 albacore, but we still don't have country-specific
9 catch limits.

10 The major harvesters work together and try
11 and make sure that their combined catch stays below
12 the MSY. This is -- and if they screw up they have
13 decided to have an intercessional -- what they're
14 doing here is they are avoiding the allocation issue.

15 So the different countries, they don't want to have
16 to sit there and argue about who's eventually going to
17 get what, and they put that off as long as they
18 possibly can.

19 Now for swordfish, billfish, and sharks, in
20 the case of swordfish the current management measures
21 were extended to 2006, so that you have assessment of
22 northern and southern stocks of swordfish and
23 allocation discussions in 2006. In the case of marlin
24 we wanted to postpone the assessment that was
25 scheduled for 2005 until 2006 or 2007. The idea is to

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1 -- so we can actually have enough time for countries
2 to implement the management measures that were adopted
3 in 2000.

4 | Sometimes it takes a few years for those
5 measures to be adopted or implemented through domestic
6 policy and then you have to remember that ICCAT
7 reporting is almost a year and a half late. And so if
8 you actually want to see some of these reductions
9 appear in the landing statistics, you will have to go
10 out. And so we want to give the longest time period
11 we can before the next assessment to see whether those
12 reductions are actually occurring. And so based on
13 the advice of the SCRS it was extended from 2005 until
14 2006. And the management measures, which are the
15 release of all live white marlin and blue marlin,
16 which should end up in a reduction of two-thirds in
17 the landings of white marlin and 50 percent of blue
18 marlin, went into place.

19 But as you can see now, if we go to 2006, we
20 are going to have assessments and discussion of
21 bluefin tuna, east and west; swordfish, north and
22 south, blue marlin and white marlin. Now, that's a
23 lot of assessments for the SCRS to do, but when we get
24 down into the actual negotiations, the United States
25 is going to have -- it's going to be a three-ring

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1 circus and we'll have some vulnerability. So we
2 really need to think in the Advisory Committee with
3 U.S. delegations as to how we want to proceed with
4 these to maximize our input on these stocks.

5 In terms of the sharks this was a big winter
6 and at ICCAT we actually did get a recommendation
7 that's binding, that the -- and this asserts ICCAT's
8 management authority over sharks. And so ICCAT is for
9 tuna and tuna-like fishes. There are some Atlantic
10 sharks that have maintained elevated body
11 temperatures, but that doesn't make them a tuna.

12 So what it does always is that the ICCAT is
13 going to manage not only the target species, but the
14 fisheries and those species which the fisheries
15 interact with. And so full utilization -- so they
16 have the fins priced no more than 5 percent of the
17 weight that the shark carcasses on board. The SCRS
18 will review the 5 percent that's marked this year;
19 requires data collection research on nursery areas and
20 encourages release of live sharks, shortfin mako --
21 there were some problems with the data.

22 One of the major countries that catches mako
23 sharks didn't have anyone there to really represent
24 their data set and there'll be new assessments of
25 shortfin mako and blue sharks by 2007. So those were

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1 the four major species working groups and then ICCAT
2 of course has two other major committees, the
3 Permanent Working Group, which looks at essentially
4 the performance of non-member fisheries, how they are
5 doing, and the Compliance Committee, which looks at
6 the compliance of the member nations.

7 So of course, Taiwan has been very
8 problematic and the fish laundering didn't help at
9 all. And so their cooperating party status, which
10 gives them some -- quite a few benefits, was almost
11 turned down, but in the end they decided not to and
12 identified them under the new trade measure
13 resolution. And so they have one year to respond and
14 to come back with a plan, and if ICCAT doesn't buy it,
15 Taiwan could be in a real serious potential of losing
16 their market and that can kill the fishes.

17 Singapore, which is the world's leading
18 trader in swordfish was identified for failing to
19 implement ICCAT statistical document program, so they
20 have one year to correct that. And of course if they
21 were shut down, then -- if they are identified then
22 that closes all of the ICCAT nation markets to them or
23 could potentially do that. Compliance -- well, I want
24 to thank Chris first of all; for those of you that
25 have been to ICCAT, you might understand what

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1 compliance is.

2 Nations are supposed to have already
3 submitted their compliance tables by the start of the
4 meeting and so that we can see those who are out of
5 compliance, but in general, usually about 20 -- 15 to
6 20 percent of the parties have actually submitted
7 their compliance tables and then others come on, and
8 during the meeting people start changing the numbers.

9 And Chris, in addition to his many other
10 duties, sits on top of this. And so when we finally
11 got into the discussions, was able to point out which
12 countries should be saying something and we were able
13 to make sure that a lot of those countries did in fact
14 identify themselves saying yes, we had an overharvest
15 here, it occurred because of this and this is what we
16 are doing to correct it. So that part of the
17 Compliance Committee went well.

18 We had a lot of -- the U.S. had a lot of
19 items that we wished to accomplish here. We'd like to
20 get a recommendation for 5 percent observer coverage
21 and that would be by day or trip. There was great
22 resistance to that and the best we could do was by
23 vote. But what does that mean? If you have an
24 observer on a boat for one day out of the year then 75
25 percent of the boats in your fleet would be nothing.

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1 So they weren't willing to buy on by trip or by day so
2 that didn't mean much. And so we just let drop.

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3 When an increased information on pelagic
4 longline here, actually just about the terminal tackle
5 and the gadgets, but the EC put a --

6 (Tape Interruption)

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7 MR. GRAVES: Fishing vessels that are 23.9
8 meters. So, you know, you want to keep a handle on
9 the effort. In general there was support for this,
10 but the people -- you know, there's a whole bunch of
11 different recommendations that are based on the 24-
12 meter length, and so countries wanted a chance to
13 evaluate this with all that. At the next meeting
14 countries will report on the number of vessels they
15 have within -- between 15 and 24 meters and then
16 there may be a chance to go ahead and have a binding
17 international measure.

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18 The EC wanted a global restriction on the
19 carry forward of underused or unused quota. But in
20 the end people felt it was better to deal with this
21 rather than on a global basis, on a stock-by-stock
22 basis. And then finally three different
23 transshipment proposals were submitted and
24 considered, but in the end none of them were selected
25 for it. So that's something that we have to continue

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1 with, is to clamp down on transshipment and to make
2 sure we can avoid this fish laundering problem that
3 we have. So we have to have good counting.

4 And Chris, that was probably about 12
5 minutes. If you have any questions, I'll be happy to
6 answer them at the break, I want Chris to go on. If
7 you'd like the longer copy of this particular
8 presentation that has it in more detail, you could
9 ask Erica Carlson. Erica -- and she will make sure
10 that you get it. Thanks a lot.

11 MODERATOR CHRISTOPHER ROGERS: Okay. Thank
12 you very much, John. We'll take this two minutes off
13 of your presentation for next year, in the spirit of
14 the Compliance Committee overharvest/underharvest.

15 Yes, I was just going to call folks'
16 attention to the document itself.

17 All right, we had a couple of questions on
18 the consolidation of the two plans and exactly where
19 we would discuss that. This is the point that we had
20 identified in the agenda. Why don't you just tilt it
21 a little bit? Thank you, that's fine.

22 We had issued a HMS plan back in 1999 that
23 includes -- included swordfish, sharks, and tunas.
24 What we were reacting to was the Fishery Conservation
25 Amendments of 1996, the Sustainable Fisheries Act,

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1 which not only required that the Secretary of
2 Commerce convene advisory panels for the plans under
3 secretarial jurisdiction, but also indicated a date,
4 certain so to speak, a timeframe, get on with it so
5 to speak, I guess was the best way Congress told us
6 to get that tuna plan in place.

7 We had the authority since 1992 but hadn't
8 completed a tuna plan. So there was a clear marching
9 order from Congress to get on with the tuna plan, but
10 also to convene an advisory panel for each of the
11 plans under secretarial responsibility.

12 At the time we looked at consolidation
13 rather than setting up advisory panels for each plan
14 and keeping the plans separate. The Secretary had
15 inherited swordfish and billfish from the South
16 Atlantic Council as the lead for the five councils,
17 and it already issued a shark plan under secretarial
18 authority. At the time we thought that combining all
19 the species except for billfish was an appropriate
20 approach given the unique nature of billfish as a
21 game fish status only.

22 I guess you could say, at least from the
23 staff prospective, that decision did have some
24 implications throughout the process insofar as we did
25 convene two separate panels, one for billfish, one

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1 for HMS, had separate meetings, sometimes joint
2 meetings. But a lot of concern was raised about the
3 need for addressing certain issues affecting billfish
4 in the HMS plan and vice versa.

5 That concern has continued to manifest
6 itself throughout the years, post implementation of
7 1999, and in the view of the Agency it was
8 diminishing efficiency of the staff in getting the
9 rules out. For the most part we've had the panels
10 meet in joint session over the last several years,
11 and any aspects of controlling billfish mortality
12 through the recreational fishery.

13 The directed mortality have repercussions
14 in the HMS plan because we tend to manage the HMS
15 fisheries as a unit. We now have a consolidated HMS
16 permit for both the charter er boat sector and the
17 private recreational vessels.

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18 And likewise any control of billfish
19 mortality as a bycatch mortality in the commercial
20 sectors was addressed in the other plan, but the
21 bycatch reduction plan required under National
22 Standard 9 of the Magnuson Act had repercussions in
23 the other plan as well. So it was clear that we
24 really were not in a position to address any issues,
25 if any at all, but certainly not many in any

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1 substantive way by addressing one plan or the other.

2 And that in almost all cases we would have to
3 address the issues in both plans and therefore
4 convene the two panels in joint session.

5 So again looking at efficiency of
6 operations, the public understanding of the process,
7 a lot of folks would be looking in the HMS plan for
8 billfish matters and we'd have to call their
9 attention to the fact -- well, that particular
10 element is in the billfish plan, not in the HMS plan
11 or vice versa sometimes.

12 So we'll now go to the next line. So we
13 looked seriously about the ability to meet our goals
14 in terms of the management arena. And it make sense
15 to consolidate; we certainly felt it did make sense
16 to consolidate. This in fact is addressed at great
17 length in your pre-draft document beginning on page
18 31, I believe. Actually on page 27, it starts, on
19 just the background and the rationale for combining
20 the two plans.

21 It does have a current table of the
22 representation of the panels and then a substantive
23 discussion on the objectives in a combined FMP. And
24 I believe this is what was the heart of the matter
25 that Russ Nelson wanted to have some opportunity to

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1 discuss. So again the regulations were previously
2 consolidated back in 1999, so the Atlantic Highly
3 Migratory Species regulations addressing all the
4 species including billfish were all consolidated
5 under that new part 635.

6 But we did have the two plans separate and
7 the two panels separate, but again dealing with the
8 ongoing issues, ongoing fisheries, management felt
9 that it was very difficult to address one plan
10 without the other and have the discussions without
11 both the panels present.

12 So when we looked at what the practical
13 implications were other than increasing efficiency
14 and reducing redundancy, one of the things that
15 jumped out was the advisory panels themselves, the
16 other thing was the objectives. Let me deal with the
17 panels themselves. What we anticipated doing was to
18 just consider everybody who was here present, whether
19 they were here because of their representation on the
20 billfish panel or the HMS panel to be a member,
21 whether appointed or ex-officio, under the new
22 combined panel.

23 Then deal with rebalancing if necessary,
24 the Act, Magnuson Act does speak to balanced
25 representation. That's about the only guidance

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1 regarding the assembly of the advisory panels, a
2 balanced representation of all interest. With
3 respect to rebalancing we will deal with that through
4 the normal process.

5 Normally what we have is an announcement in
6 November indicating those terms which are expiring in
7 December each year, and requesting nominations. So
8 during that process in November of 2005, we will call
9 everybody's attention to the combined panels in
10 looking at the rebalancing issue in terms of
11 nominations.

12 Another issue with respect to the panels is
13 that the billfish panel was currently constructed to
14 have two-year terms, with half the terms expiring
15 each year. The HMS being a little bit larger panel,
16 three-year terms with one-third of the members
17 expiring each year. So again, we would keep the
18 expiration dates the same for any current panel
19 member and then do that rebalancing, reconfiguring
20 with the next round of nominations.

21 So again, it would be a three-year term for
22 any new appointees, but some of those originally
23 assembled from the billfish panel may have terms that
24 expire a little bit sooner rather than later. So we
25 may have to address that in terms of the balancing

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1 act with respect to the expiration of terms, as we do
2 that nomination process.

3 Again, we did not envision that warranted
4 much discussion here at this meeting. The more
5 substantive issue would be the objectives. What we
6 have laid out in the pre-draft, beginning on the
7 bottom of the page 33, is a side-by-side comparison
8 of the objectives currently embodied in the tuna,
9 swordfish and shark, aka HMS FMP, and then the
10 objectives embodied in the billfish FMP as separate
11 entities.

12 And then we've proposed some language which
13 we feel picks up on any of the salient differences
14 between the two in a way that captures them both to
15 the extent that resulted in some redundancies. So we
16 have proposed that some objectives can be eliminated
17 by virtue of being addressed in one or the other
18 consolidated objectives. So again, that table is
19 quite explicit, the different language from either
20 the billfish or the HMS FMP is highlighted for your
21 review. And again, the proposed consolidated
22 language is there in the third column.

23 I think that's -- is there one more slide
24 on this subject? Just to review, again, the Act does
25 require a balanced representation. We currently

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1 have, on each AP -- although I believe this needs to
2 be updated because of our appointment for Pete Manuel
3 in the last week or so. So that would be a 10
4 commercial HMS FMP or AP, recreational 4, 2 and 1,
5 academic and the ICCAT chair. They can only do one
6 ICCAT chair in the combined panel, so you can't find
7 a clone for yourself, John.

8 The billfish AP is currently 2 commercial,
9 4 recreational, 1 environmental, and 2 academic.
10 Now, the ex-officio representatives for the states
11 and the councils would remain unchanged. They would
12 be at the discretion of the State Council Commission
13 office to designate who would come to the meeting. I
14 think probably the Gulf council is the only council
15 that has routinely named a separate party to the
16 billfish and HMS APs. And most other councils have
17 consolidated their representation, so to speak, in
18 terms of appointing one individual to attend the
19 meeting.

20 So some implications with regard to
21 rebalancing, but again it was our intent to address
22 that rebalancing through that normal nomination
23 process that occurs every year. So I think that the
24 more useful discussion at this point would be for
25 folks, if you haven't done so, I hope you've had at

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1 least a chance to skim them, but to quickly take a
2 look at that table of the consolidated objectives and
3 see where we go from there, whether or not the
4 consolidated language that is proposed seems to do
5 the trick and alleviates any concerns of the nuances
6 of the language that had evolved into separate plans.

7 Or if you have any concerns about dropping any of
8 those particular objectives.

9 But that's the issue in a nutshell as we
10 see it. Again, the intent is not to change anything
11 about the management approaches for billfish, tuna,
12 swordfish, or sharks, it is merely an administrative
13 function to operate more efficiently, especially in
14 an era that I think we can all agree is not going to
15 be resource-rich.

16 We're going to have to be a lot smarter in
17 how we address and apply resources to do regulatory
18 amendments and plan amendments. So with that I would
19 invite any comments regarding the consolidation in
20 general, but in particular, the consolidation of the
21 plan objectives. Ellen Peel?

22 MS. PEEL: I'll start this off; I'm sure
23 there will be other comments. Looking at all the
24 objectives and your rationale, it appears that the
25 rationales are primarily for administrative

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1 expediency. There's not a great deal that is fish-
2 specific. When you have recommended to delete the
3 two key objectives of the billfish plan, I think it
4 makes your intent very clear that you're trying to
5 reduce billfish species to merely a by-thought, as a
6 bycatch species within the HMS plan.

7 You can have the two panels continue to
8 meet together, but you are going to eviscerate the
9 efficiency of the billfish plan to do anything to
10 conserve and improve the status of the stocks.

11 MODERATOR CHRISTOPHER ROGERS: Which two key
12 objectives are you referring to? 13 and 14.

13 MS. PEEL: 13 and 14 on page 36.

14 MODERATOR CHRISTOPHER ROGERS: And you do
15 not feel that they are adequately captured in 2, 4,
16 5, and 7, under the consolidated column?

17 MS. PEEL: Those elements were already in
18 the billfish plan. As they were somewhat restated in
19 the other plan, very broad language, in large part
20 adopted from [the](#) Magnuson-Stevens Act. The
21 objectives of the billfish plan are clearly spelled
22 out in those two that you've wiped out, or that you
23 would like to wipe out.

24 MODERATOR CHRISTOPHER ROGERS: All right,
25 Russ Dunn.

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1 MR. NELSON: It's Nelson.

2 MODERATOR CHRISTOPHER ROGERS: Oh, excuse
3 me, Russ Dunn. Russ Nelson, I'm sorry. Too many
4 Russells on my mind.

5 MR. NELSON: I'll defer to Russell Dunn if
6 he's got something to bring into this conversation,
7 that's all right with me. I mean, I don't see a
8 major problem in consolidating a plan. I can
9 understand the ease -- you know, that could make
10 things easier. Although it's not terribly unique
11 amongst -- in this nation's fisheries to have to deal
12 with two different plans to solve problems in
13 fisheries. You've got red snapper and Gulf shrimp in
14 two different plans in the Gulf of Mexico. I mean,
15 bycatch and this new step towards more ecosystem-
16 approaches to fishery increases the cross-
17 connectivity between plans.

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18 But frankly, I do agree with what Ellen
19 said. I mean by suggesting that you can remove
20 Objective 13 and 14, you essentially dramatically
21 dilute the fact that the billfish plan is a
22 management plan which has allocated that fishery
23 directly and explicitly to the recreational sector.
24 And has made certain statements about where primary
25 management objectives should be directed to reduce

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1 bycatch and increase the availability of those fish.

2 And I would -- I mean, I've got a little
3 bit of pride of ownership in this. I was around when
4 that thing was done. I even got to vote twice on it,
5 at the South Atlantic and the Gulf of Mexico. But
6 for instance, Objective 13, the highest availability
7 of billfishes, this stemmed from a long discussion
8 when -- amongst multiple councils about the fact that
9 maximizing benefit in the recreational fishery is
10 largely a matter of increasing encounter rates,
11 particularly in a fishery like billfish where the
12 fish are not routinely or hardly ever maintained, but
13 it is the encounter rates that provide the
14 opportunity and the economic and social benefits.

15 So I'm not going to belabor the point but
16 you said on page 33 in the preface to the table --
17 "Carry unique objectives into the combined HMS FMP
18 unchanged." Well, as I read this, there is not a
19 single unique objective that was carried into the --
20 under your recommendation, that would be carried into
21 their plans.

22 So I would just say that if the Agency
23 wants to readdress the allocation question in terms
24 of billfish and how this nation manages the billfish
25 fishery, then I think it should be a very explicit

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1 part of the briefing document. Because, at least as
2 I read it, by removing those two unique objectives,
3 you essentially have removed that from the forefront
4 of this management plan to a questionable status.

5 MODERATOR CHRISTOPHER ROGERS: All right.
6 Just to that point, it seems to me that we could
7 probably modify the proposed consolidated Objective
8 number 4 to include a refinement so to speak of
9 optimum yield with respect to what had been 13,
10 maintaining the highest availability. As a measure
11 of optimum yield, something to that effect.

12 SPEAKER: Well, there is a lot of ways to
13 change this and I'm sure that you will be receiving
14 some written comments but frankly I recommend you
15 just keep 13 and 14 in there as objectives which
16 specifically refer to billfish.

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17 MODERATOR CHRISTOPHER ROGERS: Okay. Yes,
18 fair enough. Ken Hinman and then Mike Leech.

19 MR. HINMAN: Thank you, Chris. Yes, I
20 agree with both Ellen and Russell on this. You say
21 earlier in the document on the implications of these
22 -- of a consolidation. And again, I'll reiterate
23 what Russ said on the consolidation per se. I don't
24 have a problem with that at all. I think it makes a
25 lot of sense and for a lot of reasons. But you say

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1 that this will incorporate all of the existing
2 management measures from the two FMPs into the new
3 consolidated FMP.

4 And -- but I would suggest that by changing
5 the objectives for billfish, 13 and 14 in particular,
6 that it seems to me very likely that that could lead
7 to future changes in the management measures as
8 regards to billfish, because you have essentially --
9 and I was around with Russ at the time this was
10 written. So I feel a little pride of ownership too,
11 that I think a lot of people who worked on this
12 consider those two objectives really the heart of the
13 billfish plan in many ways. That this is --

14 So I would suggest that I don't see why you
15 cannot have a consolidated plan with different
16 objectives for different species. You have different
17 optimum yields for different species and you can
18 incorporate these objectives into those definitions.

19 So, you know, that's the way I feel about that. As
20 far as consolidating the APs, it looks like you don't
21 even have to revisit it in terms of balance.

22 If -- you know, if you've got 10
23 commercial, 10 recreational and 5 environmental, I
24 would be curious to see how you would propose in the
25 future, just you know, trying to rebalance that.

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1 That seems pretty balanced.

2 MODERATOR CHRISTOPHER ROGERS: Well, thank
3 you. We did feel that it was pretty balanced in its
4 consolidated state as well, but again we would take
5 comments on that in our November request for
6 nominations for expiring terms, whether or not there
7 is a general view that in its combined stature, it is
8 in need of rebalancing or not. But I do agree that
9 just because the plans are consolidated doesn't mean
10 we can't have unique objectives for some of the
11 components of the plan.

12 What seems to have occurred is that the
13 references to optimum yield are not as specific in
14 their consolidated format with respect to the
15 billfish, in terms of the highest availability, and
16 as Russ Nelson put it, maximizing encounter rates.
17 So it certainly would be two options of trying to
18 work some more explicit language into some of the
19 other objectives or maintaining them separately. In
20 other words just carrying forward 13 and 14 as
21 currently written. Mike Leech?

22 MR. LEECH: I think NMFS is trying to
23 combine apples and oranges here. You've implied that
24 the two HMS and billfish are interrelated. Well,
25 yes, they all swim in the same ocean, but the HMS

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1 management has been pretty much aimed at how many
2 fish we can take out of the ocean and sell and still
3 be sustainable whereas the billfish plan is the exact
4 opposite. It's how many fish can we leave in the
5 ocean to benefit the recreational fishery.

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6 And if you combine those two, billfish are
7 going to lose, recreational anglers are going to lose
8 and other than -- maybe you can be more efficient up
9 here. It's never been a major concern before it took
10 four years to get an emergency shark management plan.
11 That doesn't seem like a strong argument for me.

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12 Public confusion over management process,
13 there's probably not one person in a thousand that
14 understands the management process now, nor will they
15 understand it any better in the future. And when you
16 talk about deleting 14 and 13 you are absolutely
17 gutting the billfish management plan. And trying to
18 reword it and do anything else is only going to
19 weaken it. There's not a single recreational al angler
20 that I have talked to that would be in favor of this.

21 MODERATOR CHRISTOPHER ROGERS: Okay, thanks,
22 Mike. Bobbi Walker, then Rick Weber.

23 MS. WALKER: Thanks Chris. The Gulf of
24 Mexico Fishery Management Council voted unanimously
25 to object to splitting the plans. We deal with

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1 multiple FMPs all the time and we strongly feel that
2 the billfish species is what's going to lose. Thank
3 you.

4 MODERATOR CHRISTOPHER ROGERS: Thank you,
5 Bobbi. Rick Weber?

6 MR. WEBER: Just to echo what everyone else
7 has said, my strong preference would be to have them
8 separate. That said, I think the economies of the
9 day are going to say that they are going to end up
10 being combined. I'd like to just give you an idea to
11 explore for the future and that would be some form of
12 compromise here. I want to say species working group
13 or some such thing, where rather than meeting as a
14 single panel, where people with various expertises
15 are sitting, waiting sometimes half a day for their
16 turn. Perhaps we would be more efficient if we spent
17 one day in more species specific or group specific
18 discussions with your individual leaderships in each
19 of those specialties, and then come back in a second
20 day or a third day and discuss how we bring all of
21 these ideas back together into a single management.

22 Because I certainly feel that this document
23 as it was written gave the recs some stronger
24 privileges when it came to the marlin, that it did
25 clearly allocate that to them, and I don't want to go

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1 back to a 50-50 discussion on this because the
2 document has never said that, just ideas for you.

3 MODERATOR CHRISTOPHER ROGERS: All right,
4 thanks Rick. We had discussed in several past panel
5 meetings this notion of breaking up into sub groups. I
6 think most often that was raised when we were getting
7 into the nitty-gritty of bluefin tuna allocation and
8 certainly putting some members at a disadvantage who
9 weren't familiar with all the categories and size
10 classes and things like that and certainly that's the
11 model that the ICCAT advisory committee follows with
12 these species working groups. So we're certainly open
13 to any suggestions on the part of the panel members
14 and maybe at the end of the meeting when we do have a
15 little bit of time towards the end of -- for the wrap-
16 up, we can talk about that in the context of a
17 consolidated panel whether or not revisiting species
18 working groups would be a good idea as an efficiency
19 for the meeting. Any other comments, I think the loud
20 and clear regarding maintaining the objectives 13 and
21 14 in the combined list so to speak. Let Rusty go and
22 then Michael Leech again.

23 MR. HUDSON: Rusty Hudson, Directed Shark
24 Fisheries. Back in 1999, when you consolidated the
25 shark plan into the HMS plan, we in the shark

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1 industry, environmentalists and the commercial in
2 particular didn't want that. Because we felt like the
3 39 species that we were managing would somehow become
4 what I referred to as a redheaded stepchild and that
5 sort of is the case, because in a lot of ways most
6 people don't understand the number of species and the
7 different details involved there.

8 And so we felt like we will be taking the
9 back seat to tunas and swordfish, it is the same way
10 we still feel nearly six years later. Now we are
11 going to add billfish into a further response and this
12 is just going to make us feel again more complicated.

13 I had been asked when this consolidation was referred
14 to as amendment 2 last year to comment against
15 consolidation to at least just leave well enough
16 alone. And I can see the concerns of the recreational
17 component, you know, that from a commercial point of
18 view, we have a couple commercial members on there and
19 we discussed the bycatch issues that come up. But
20 generally speaking, for the U.S. this is a
21 recreational issue when we get into billfish. And the
22 other part of my observation was the fact that this
23 was amendment 2 to begin with and we had some
24 outstanding issues with amendment 1 that still had not
25 been completed.

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1 And I get a feeling that lot of this is
2 folding over into 2006 and she was looking for a
3 January 1st implementation time. So again I feel like
4 from the perspective of 39 species of shark, we're on
5 the backburner again, and I wish that there was a way
6 to get away from that a little bit, Rick's suggestion
7 about the working groups that are species oriented
8 might be useful at times. There are times like
9 amendment 1 where the entire process was dominated
10 with shark. This time we got everything, kitchen sink
11 in this little telephone book and by the time we get
12 proposed rules of summer, I'm sure it's going to
13 thicken up a little bit more so just a point of view
14 from us.

15 MODERATOR CHRISTOPHER ROGERS: Thank you,
16 Rusty. Mike Leech?

17 MR. LEECH: Jimmy Donofrio of Recreational
18 Fishing Alliance came in a little late to get a seat
19 at the table but he just asked me to go on record as
20 stating that goals 13 and 14 must stay in there. You
21 got to keep in mind when this was created in 1988, it
22 took years to get it done and it was a five council
23 agreed upon plan that came up with this very strong
24 and very clear language. And it just needs to be kept
25 in there, not folded into something else and watered

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1 down.

2 MODERATOR CHRISTOPHER ROGERS: Okay, thank
3 you. Sonja Fordham?

4 MS. FORDHAM: Thank you. Sonja Fordham of
5 The Ocean Conservancy. I wanted to take this
6 opportunity to agree with Rusty about the shark shrift
7 bit. And I remind you that there are a lot of sharks
8 and under this plan a lot of them have serious
9 problems and we only have really one species dealt
10 with in this pre-draft. So we would hope that you
11 would go back and reconsider at least giving us a
12 little bit more focus times or breaking out so that
13 the shark issues can be addressed in the
14 consolidation. Thanks.

15 MODERATOR CHRISTOPHER ROGERS: Thank you,
16 any more comments. Ken Hinman?

17 MR. HINMAN: Yes, one more. Just to make
18 sure that this isn't just about, well, we've gotten
19 into shark, so it's not just about billfish and the
20 recreational fishery, I think there is a number of
21 other things as I look through here and we'll include
22 them in our written comments that you really have to
23 be careful that you don't give short shrift to any
24 species or to any particular groups of fisherman when
25 you consolidate and when you try to bring objectives

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1 together, you have to really understand the full
2 implications and I'm just pointing out number 18 here.

3 The existing HMS FMP does include language
4 about including access for traditional swordfish,
5 handgear fishermen to participate fully as the stock
6 recovers and that particular objective of the
7 swordfish part of the HMS FMP is proposed to be
8 deleted encompassed in a larger over capacity latent
9 effort, economic efficiency type objective which I
10 don't think comes close to capturing that original
11 intent of that objective for the New England swordfish
12 harpoon fishery in particular but also the rod and
13 reel fishery. So I think those things have to -- you
14 can't just jettison them without understanding the
15 full implications or the original intent.

16 MODERATOR CHRISTOPHER ROGERS: So would you
17 propose that we maintain 18 or try to do a better job
18 of being a little bit more explicit in 16 to that
19 issue of the handgear fisheries.

20 MR. HINMAN: I really don't care what number
21 it has. I think the language that is in 18 needs to
22 be maintained in some form.

23 MODERATOR CHRISTOPHER ROGERS: Okay, thank
24 you, Ken. Bob Zales?

25 MR. ZALES: Yeah, we pretty much support

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1 everything that has been said here and we -- from the
2 far side of this on the Gulf of Mexico, we really
3 support what the gov -- the action that they took on
4 this, and kind of like what Rusty said in some species
5 of fish in the Gulf of Mexico, we kind of feel like
6 the redhead stepchild too, especially like -- with the
7 elephant tuna and what not. We're kind of concerned
8 that if this thing gets consolidated with billfish
9 that billfish could go on in the same way because in
10 the gulf for some reason that we don't -- we get the
11 attention that we need down there in many cases. So,
12 you know, we've got a concern where that goes.
13 Billfishing is a substantial activity in the Gulf of
14 Mexico. And we just want to be sure that it doesn't
15 get lost in the shelf.

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16 MODERATOR CHRISTOPHER ROGERS: Okay, thank
17 you. Gail Johnson?

18 MS. JOHNSON: Thanks Chris. It doesn't say
19 specifically and -- when you're talking about the
20 membership, can I take it that the number of members
21 of the consolidated -- if it were consolidated would
22 they -- would there still be as many people? So you
23 weren't thinking of saving money by cutting out some
24 of the members?

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25 MODERATOR CHRISTOPHER ROGERS: Well, again,

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1 the only guidance in Magnuson is that we convene a
2 panel of balancedd representation, there is no minimum
3 number and there is no maximum number. It's just a
4 matter of budget and efficiency in running a meeting,
5 trying to represent not only the commercial,
6 recreational, environmental and academic sectors, but
7 also to have some geographic balance recognizing that
8 recreational issues in New England may be very
9 difficult recreational issues in the Gulf of Mexico.

10 So it's a tough balancing act, but obviously when
11 the committee gets to be too large and unwieldy it's
12 not going to be efficient in its operation.

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13 Currently that's what we were thinking that
14 combining the two panels doesn't really deviate too
15 much from what we felt was balanced representation in
16 each panel separately. So that that was probably
17 about the number that would be necessary for a
18 combined panel to be of balanced representation. And
19 again we would take comments on whether individuals
20 felt that the recreational or commercial or regional
21 components needed to be increased when we go out for
22 nominations in November. Any other comments on
23 consolidation, particularly objectives? We're at
24 break_point on our agenda. I'd encourage those who
25 haven't yet signed in to do so during the break. Joe

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1 McBride?

2 MR. McBRIDE: Yes, thank you, Chris. Just
3 in my ignorance, and I was just talking to Sonja to
4 see if she knew the answer and may be I'm wrong. But
5 administratively you want to for whatever reason,
6 administratively consolidate both groups and I don't
7 see too much opposition to the consolidation. But
8 wouldn't it have been smarter for you certainly to
9 speak to the members of the billfish sector to find
10 out what they would object to or not object to if
11 nothing else to say for half hour.

12 Because no one here has -- no one here has
13 -- no one here on either side of the fence so to
14 speak has said any good about leaving out, you know,
15 13, 14, et cetera. You know, unless I'm missing
16 something that was a scoping on this but no one seems
17 to say there was prior to this meeting and no one
18 discussed anything openly. That may just make more
19 sense before the agency would go out and put a
20 proposal like that and they would talk to the people
21 most pertinently affected by it, so I don't know.
22 And that's as a taxpayer but there is no fee for
23 this. This is all free.

24 MODERATOR CHRISTOPHER ROGERS: Thank you,
25 Joe. We did go out so to speak at the public of in

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1 the scoping process and this was the outcome of it.
2 We did want to touch base with the persons most
3 familiar with the history of billfish at the panel
4 meeting because of the need to have that open
5 discussion with the panel. Ellen?

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6 MS. PEEL: To that point, Chris, the scoping
7 meetings were held, I mean, I forgot how many you had,
8 however, I can recall a number of them were on the
9 very night of the captain's meetings of some of the
10 most popular billfish tournaments in other parts of
11 town. Now anyone that's fishing a billfish tournament
12 is not going to forgo a captain's meeting and the
13 requirements to be at the tournament to come to a
14 scoping meeting. So your timing once again when it
15 came to billfish was not good. I don't know how many
16 billfish anglers showed up at each meeting.

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17 But several, several meetings, I know I was
18 at tournaments, I couldn't attend these scoping
19 meetings. I had the benefit of being on the panel, so
20 I knew what would be discussed but a lot of our
21 members were not there because of the scheduling.

22 MODERATOR CHRISTOPHER ROGERS: Okay, thank
23 you. Again, we've heard loud and clear the importance
24 of maintaining not only 13 and 14 with respect to
25 billfish but 18 with respect to swordfish in handgear

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1 fisheries, so with that we'll take a break, and again
2 I would encourage those who haven't signed in please
3 do so and pick up the nice folders that they'll put
4 together for you. And we will be back here in about
5 15 minutes.

6 (Whereupon, a short recess was taken.)

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7 SPEAKER: Thank you, Chris. Sorry, I think
8 I turned you off. It wouldn't be the first time. Is
9 that better? I guess the first -- I really don't how
10 to start with questions or comments, but the first
11 question is if the pumping season extends through
12 July, why did we elect to open it, why did you elect
13 to open it July 1, instead of our proposed August 1,
14 that's one question.

15 The other thing is I've got a real problem
16 with using historical catch data to set these quotas.
17 If we did that to manage the summer flounder quota in
18 North Carolina we would be hung from a tree. What we
19 run the risk of doing here is by opening, for example,
20 in the South Atlantic on July 1st and allowing it to
21 run through August and then having the start period
22 set up to start September 1 and run through December
23 5th, you run a real risk of having some severe
24 overharvest in the South Atlantic, and by doing that
25 that's taken off in the subsequent years' quotas.

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1 And it's like this year, in the first
2 trimester, you'll notice that only 60 percent of the
3 quota was taken before it was closed, leaving 40
4 percent on the table, and it would seem to me that if
5 you're going to have -- if you are going to manage by
6 quota, you need to have the mechanisms in place to
7 track that quota to allow full utilization of each
8 trimester's sub-quota allocation, rather than run
9 into risk of having these large overages and
10 underages by basing it on historical information.

11 Now if you continue to operate under a say
12 a trimester next, how would you do next first
13 trimester? If we only landed 60 percent in the first
14 trimester this year, what does the historical record
15 become, and how do you to deal with that the
16 following year?

17 So it creates a real problem, and I am
18 unaware of any other quota monitoring process that
19 does it this way. Most of us have to monitor to quote
20 on a weekly or daily basis in some fisheries to try to
21 keep the fisheries open as long as we can, because
22 what's happening right now with the shark quotas is
23 small as they have got to protect the resource,
24 responsibly so.

25 We've got guys who are trying to gear up.

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1 Fisheries closing with fish left over, and they are
2 forced to go into other fisheries that we really
3 don't want them going into, like pelagic long lining
4 where we're catching large dusky sharks and having to
5 throwing them back over which is totally contrary to
6 the intent purpose behind. The quota reductions in
7 the trimester quota monitoring process. So I guess
8 is there any approach to try to go forward the more
9 accurate and timely quota monitoring system and
10 what's the justification for opening July 1 when you
11 indicate that the prawn pumping season is July.

12 SPEAKER: Take those questions, Chris.

13 MODERATOR CHRISTOPHER ROGERS: Well, we do
14 have a bi-weekly reporting periods, we're not down to
15 a weekly basis yet, but that's something that we
16 could strive for. And I agree that it's always good
17 to have shorter time frame quota monitoring but we
18 also certain limitations in terms of doing that.

19 As you know, any of the over -- under
20 harvest from one season or carried over to the same
21 season of the following year and we feel like that's
22 worked pretty well. I know you referred to the 60
23 percent quota harvest number and that's actually gone
24 up now for the Gulf of Mexico, the -- at least for
25 this first trimester season of this year. Same with

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1 the South Atlantic quotas, we've been fairly close to
2 what the quota was, it was established for each of
3 those regions in previous years. So that's one
4 comment I have in terms of the carry over of harvest.

5 And your question regarding the shark pumping season
6 as you know, North Carolina is one of the prime shark
7 pumping areas on the South Atlantic coast, that area
8 is going to be closed until the end of July
9 regardless.

10 So I think that was a part of the rationale
11 for going ahead and opening July 1 for the rest of
12 the South Atlantic region. With North Carolina then
13 opening August 1. Does that answer your question,
14 Louis?

15 MR. DANIEL: Yes, somewhat, but I'm still
16 concerned with the understanding that I thought we
17 had about the second, third trimester openings and
18 that North Carolina would have full access to the
19 second and third trimester since we're shut out of
20 the first trimester, at least for the time being.

21 So -- and my real concern is that
22 recognizing that the shark guys of North Carolina are
23 going to need to try to make up as best they can, I
24 know that's difficult to do but try to have to make up
25 for a January through July closure when we finally

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1 open up off North Carolina in August.

2 You know, I have real concerns that there's
3 going to be a significant amount of harvest in that
4 August sub period that might have been off-set had we
5 opened August 1st. So I guess we'll have to wait to
6 see what happens, but certainly I would want to go on
7 record as being in opposition to the July 1 opening,
8 and put in preference to an August 1st opening for
9 the second trimester.

10 MODERATOR CHRISTOPHER ROGERS: Chris, why
11 don't you just make one more brief comment? Based on
12 the catch rates that we've looked at over the last
13 couple of years and the fact that North Carolina
14 would be closed, North Carolina has historically
15 accounted for approximately 50 percent of the
16 landings in the South Atlantic region. If we were to
17 open the South Atlantic region on August 1, the quota
18 would not be landed within that one-month period
19 before the third trimester season kicked off.

20 So therefore starting it on July 1, however,
21 does result in the quota being landed during that two-
22 month period prior to the start of the third trimester
23 season. And so North Carolina is the only place where
24 there is a concern about catching pups during July.

25 SPEAKER: Not the only place, but one of

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1 the primary places, that's correct.

2 SPEAKER: Bob McAuliffe? Is your mike
3 working?

4 MR. McAULIFFE: Here we go, is that better?
5 You have South and North Atlantic, I am assuming
6 from what he just said that it is not south of five
7 degrees but actually just south of Carolina. But
8 this was a bit confusing to me, but my main question
9 is where does the Caribbean fit into this picture?

10 MODERATOR CHRISTOPHER ROGERS: That would
11 be included in the Gulf of Mexico quota.

12 MR. McAULIFFE: Okay, because we are not in
13 the Gulf of Mexico, that's why I asked the question.
14 But we are very similar to that, and we really need to
15 have the Caribbean separated out with its own quota,
16 because we simply don't fit into any of these groups,
17 and there is no historical data to speak of yet shark
18 like the other HMS is primary food. Every shark
19 that's caught is consumed from tip to tail. And as
20 Nemesis (phonetic) demonstrated they can clean these
21 things up like last year we spoke out about the Marlin
22 problem in Puerto Rico, you guys got that cleaned up
23 real fast.

24 Now if you start tracking down on the other
25 HMS fisheries in the Caribbean, Caribbean fishermen

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1 are in trouble because we've really just been
2 operating on our own with no records and nothing
3 else, but if you want it, count us, and get us in the
4 regular quotas, we're going to have to change the
5 whole program for the Caribbean. Either bring us
6 online or forget about us and leave us alone. Those
7 are the two basic options.

8 MODERATOR CHRISTOPHER ROGERS: Any other
9 comments on the proposed quotas? Rusty Hudson?

10 MR. HUDSON: Rusty Hudson, Directed Shark
11 Fisheries. I submitted a written comment this past
12 Friday and in general a lot in the industry that I'd
13 spoke with, at least felt encouraged on one level
14 that we were going to have a little more time to
15 catch some fish.

16 We were a little discouraged with the July
17 1st opening, because of how it handicaps the North
18 Carolina guys. The July 15th opening anyway would
19 allow them to go ahead and venture into the North
20 Atlantic region which is just across the Virginia-
21 North Carolina line, and that will give them an
22 opportunity to fish there for the two weeks and then
23 drop back into the Gulf of Mexico unless, I mean,
24 back into the closed area off North Carolina. Unless
25 of course you're considering later modifying the

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1 zone, you know, because you got us all the way out to
2 55 fathoms.

3 As far as -- like what Bob brought up, he
4 is talking about an artificial fishery because you
5 got one incidental shark permit down there in Virgin
6 Islands, I don't know if any of that's changed from
7 what I see in this book, but no directed, and yet
8 what he just told you is that it's consumed for food
9 on a pretty regular basis, so there has to be some
10 monitoring. I would be venturing to guess that while
11 we have the proliferation of Atlantic sharpnose, they
12 have a proliferation of Caribbean sharpnose, which
13 you all had stuck on the prohibited species list back
14 in 1999.

15 And we said then that is according to some
16 of the sharks of the world manuals, that is one of
17 the more common sharks. I thought the Caribbean was
18 being included in the South Atlantic Code, but I --
19 you know, you say Gulf of Mexico, so -- likewise I am
20 a little fearful to even mention the same about we
21 might overrun and then we get whacked next year
22 because the environmentalist and ourselves and
23 certain other folks had signed off on a document
24 almost two years ago, wanting to have an assessment
25 every two years.

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1 Our assessment that was hopefully going to
2 be conducted in 2004, we shifted to 2005, and now
3 reading this document I find that the final results
4 of the sciences here wont be available till 2006, and
5 the small coastal assessment will not be completed
6 till 2007. I keep hearing lack of money. I keep
7 looking at the fact that you got almost every species
8 a large coastal identified as overfished and
9 overfishing still occurring even though we know
10 that's not true in that 12 years of management has
11 benefited those animals.

12 The small coastal quota is excessive in the
13 fact that you had a small number of gill net boats
14 that established that. Now that gillnet boat group
15 has virtually been cut in half from the original
16 group of 11 down to about 5. And I sensed that with
17 the Gulf of Mexico, some of those guys trying to show
18 that they can catch so small coastal so it would help
19 to go ahead and shift a little more quota over their
20 way because you are not and have not caught the small
21 coastal quota ever and you keep -- going to have to
22 add it on, add it on, add it on, you're going to just
23 making it bigger and bigger and bigger.

24 So I would like to do some for the North
25 Carolina guys because they have been handicapped

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1 economically. Your 21 percent downsize in our
2 economic last year between the hurricanes and a
3 variety of other things round up being 35 percent
4 plus and that hurt us over on the east coast with a
5 lot other people. And we would like to, you know,
6 help them out. That's the encouraging part that we
7 felt with these dates, at least they had an
8 opportunity to catch some animals, but if you don't
9 get the science done, we feel strongly that if you
10 were able to do a cursory assessment on all the
11 species then at least we have a shot at increasing
12 the quota.

13 We need to have the workshops so that you
14 can prove that our 60 or 65 guys know the difference
15 between a sandbar and a hammerhead because that was
16 your excuse for rolling back from ridgeback and non-
17 ridgeback management into the situation of the re-
18 aggregated thing and then you lowered the quota
19 600,000 pounds. That hurt us, and we keep getting
20 hurt economically to the -- we're -- we're so
21 marginal now that the profits aren't there. And we
22 need to have a profit, that is the nature of
23 business, and I've -- you know, stated this several
24 times.

25 And so, I'm just feeling like we need to

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1 get the science, we need to get a schedule, I
2 personally I'm trying to construct a industry
3 assessment of all 22 large coastal shark species to
4 have Enrique (phonetic) and the panel consider at the
5 upcoming data workshop whenever that will be
6 scheduled.

7 Because originally in December I was told
8 that it would be scheduled for January, it's now end
9 of March, and so we are in hurry up and wait mode.
10 This consolidation wasn't exactly what we were
11 expecting, we were expecting a minimum of two and we
12 were expecting to be getting involved with trying to
13 do the science, and I know I want to sit down and
14 prove to the world that a lot of the prohibited
15 species are not overfish and overfishing is not
16 occurring.

17 Some of these animals are such rare vent
18 animals that we don't see them and with a closed area
19 off of Florida for the pelagic long-lines, you're not
20 having that bycatch problem down that way anymore.
21 There's a lot of reasons for taking a good hard look
22 at each individual species and the reason why is
23 because you keep telling Congress the same thing.

24 Overfishing is occurring and these stocks
25 are overfished. Yet, we know better, we being the

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1 industry participants. Now that we've got two thirds
2 of our catch identified as being sandbar and blacktip
3 and neither of those are considered overfished anymore
4 and blacktip is a situation where you are saying that
5 is rebuilt. It's a good sign that the science was
6 getting on track in 2002, and we really would have
7 hoped to have that finished by 2004.

8 Now we are looking at maybe having a report
9 after the implementation of this document, an
10 independent review, whatever, and that 3-stage
11 workshop stuff is a good thing because that helps you
12 with your Data Quality Act situations, and I tried to
13 work with you on the past year, I'm trying to correct
14 where you get meat and fins folded together, I still
15 see some of those problems here. I saw one-pound
16 Caribbean Reef. I know that doesn't happen.

17 It doesn't exist like that. The carcass is
18 going to weigh, you know, a little bit more than
19 that, even if it is a neonate. And so these are the
20 type of things that I am hoping that you'll look at,
21 but the thing that Louis brought up a few minutes
22 ago, this bi-weekly doing it every two weeks reports
23 got to stop. You've got to get more real time
24 reporting. One week is a good way to do it because a
25 lot of fish are managed on a weekly basis. It will

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1 give you a better finger on the pulse of what's going
2 on with the fishery.

3 You're talking about 60 some odd boats that
4 account for virtually all of the landings, a trip
5 limit or more since or two trip limits or more since,
6 you know, in a given year for large coastals, and now
7 with the small coastal component, there is -- that's
8 occurring in the Gulf of Mexico, I've got some
9 concerns there. Somebody called me the other day, a
10 dealer, and he says that they've been reporting their
11 small coastals, which has been mostly allowing
12 sharpnose and blacknose, its finetooth.

13 And again, you know, Enrique had said in his
14 document that do not put too much credence in this
15 finetooth assessment, because we did not include the
16 bycatch numbers in a way to be able to really assess
17 it. Now that's not even going to be re-addressed
18 until 2007. So right now you're working off the old
19 science, and we would like to see some of that get
20 fast tracked. I keep being told just like John Hoe
21 (phonetic) is working with that 30-year time series
22 out of North Carolina, Frank Schwartz's.

23 I'd like to see that at the shark
24 evaluation workshop this year. I remember what he
25 said in his book from 2003 (*italics*) *Sharks of*

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1 Carolina, that he doesn't agree with the dooming loom
2 (phonetic) scientists. He feels that the sharks are
3 in much better shape than a lot of people feel. If
4 you haven't read the book, I recommend reading it,
5 because it's a sort of testimonial of his life with
6 sharks, and he has been excluded from the shark
7 workshops that I can see.

8 I've seen some people belittle him for
9 across 10 and 12 years and I'd just like to see his
10 data pulled in here, because what's going on in
11 Virginia, just like they're talking about this
12 petition from North Carolina to try to modify the
13 closed area. That closed area needs to extend up to
14 Virginia and Delaware Bay, out 15 fathoms you need to
15 drop it back from 55 fathoms back into 15 fathoms,
16 Stewart Springer had mentioned this, it's a good
17 thing to do. It's fair and so we're hoping that
18 you'll take our comments to heart.

19 MODERATOR CHRISTOPHER ROGERS: Okay, thank
20 you Rusty, we've got -- do we? Anybody else on
21 sharks then we've going to move on to the next
22 presentation. Again we can come back to it as time
23 allows. Do we? Okay, last comment on sharks and
24 then we'll --

25 SPEAKER: When I look at the proposed 2005

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1 regional quotas, it continues, I've had numerous
2 conversations with Chris, but it continues to baffle
3 me why National Marine Fisheries won't tell where
4 these landings are coming from. They're not directed
5 shark fish with the majority of them, they're probably
6 come up from the State of Virginia into our fisheries.

7 And looking up here it seems like you are
8 catering to a state fishery versus over federal permit
9 holders. I think it would be in the best interest of
10 National Marine Fisheries that you should put out all
11 state landings with your stuff and be with
12 transparency for this northern Atlantic what you said
13 about adding to the quota, it's not quoted by directed
14 shark fisherman, it's quote by the State Of Virginia
15 and shark fisheries.

16 I would venture to say enough, done a
17 little do research into it, I don't know why National
18 Marine Fisheries continues making it look like it's
19 called by shark fish, it must really ensure state
20 fisheries, State of North Carolina closed their state
21 waters, rebuilding, helping out, I see what they got
22 us.

23 Number 2, I think that with these scenarios
24 of all your sharks stuff, you'll just chill out for a
25 while and see what -- you've done enough to us to see

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1 what else will happen. Still all these split them up
2 trimester quotas and you all can't even keep up what
3 you've got now. So I just don't -- it just baffles
4 me while you continue, I want to split it up more and
5 when you look at the seasons where do you get your
6 catch rates that come up with the December 15th
7 season, they last that long when we never fish.

8 I think one time in '99 we fish to
9 November, and I was close to some hurricane stuff.
10 And a couple of times from October, so how in the
11 world can you decide that seasons do last till
12 December 15th in the South Atlantic, that's baffling
13 to me.

14 MODERATOR CHRISTOPHER ROGERS: Do we -- we
15 had based it on historic catch rates from August and
16 September in that region since that -- those were the
17 most current and recent data that we had, that we had
18 landings information from. So it's based on the
19 average of August and September catch rates from
20 previous years.

21 SPEAKER: The catch rates, I think you
22 should look at maybe something different, what's
23 going to happen when you go over? Where is that, you
24 know, there could be a possibility of not being a
25 shark season for the third trimester for years more.

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1 I mean, you just look at the migration and
2 the -- hey, I like it, but I noticed just what I
3 liked. And nothing, everything, it just continues to
4 baffle me of the -- of National Marine Fisheries and
5 their management of these sharks. Just on the closure
6 what is done through South-North Carolina, you know,
7 it just continues more and the sharks aren't going out
8 there. I was reading an article back then in *Marlin*
9 *Magazine* where Mr. Leech was telling us about how
10 these 19 sharks overfished.

11 The only reason what are classified as
12 overfish because you've never done a stock assessment
13 on it. So when you go read in the rhetoric and
14 really know what's going on, there's two sides, but I
15 think you all should really just chill out on your
16 shark management, here you've got stuff in place,
17 you've already decrease -- decreased this to what is
18 hardly none of us left. You know, what could be
19 next?

20 MODERATOR CHRISTOPHER ROGERS: Okay, thank
21 you. We'll make a transition here to our next
22 proposed rule that is on ICCAT Trade Restrictive
23 Measures. We'll take a brief comment on that, I
24 don't imagine we'll have much to say because I get it
25 spoken, we implement the recommendations, at least

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1 they proposed to do so, but certainly if there is any
2 comment, we would be pleased to take that at this
3 time and then we'll move on to bluefin tuna '05
4 specifications. Megan Gamble? Take it away.

5 MS. GAMBLE: Thank you. As Chris really
6 mentioned there were copies of three presentations
7 handed out to each of you. One of them should be the
8 presentation on the screen. If you don't happen to
9 have a copy of this there are additional copies in
10 the back room as well as copies of the proposed rule.

11 And this proposed rule is to -- restricted trade
12 measures as recommended at the 2004 ICCAT meeting.
13 And the proposed rule was published on Tuesday, March
14 8th.

15 This proposal actually addresses two
16 issues, and the first is to implement regulations in
17 compliance with the 2004 ICCAT recommendations, and
18 that is to lift Trade Restrictive Measures on the
19 import of bigeye tuna from Cambodia, bigeye tuna and
20 bluefin tuna from Equatorial Guinea and then bigeye
21 tuna, bluefin tuna and swordfish from Sierra Leone.

22 And then the second part of this proposed
23 rule is more housekeeping, correct some section
24 references that conflict between two roles that were
25 published in the federal register. The first was on

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1 November 17th and the second was on December 6th.

2 There's a lot on this slide, but I wanted
3 to give you a quick look at some of the trade
4 restrictions that have been put in in the last two
5 years, and the items in the red box at the bottom are
6 the recommendations from the ICCAT that pertain to
7 this proposed rule.

8 And as I said it before that would be to
9 lift the import restrictions on Sierra Leone,
10 Equatorial Guinea and Cambodia, and just to quickly
11 let you know what's still in place is there is still
12 prohibition on the bigeye tuna from Bolivia and
13 bigeye tuna from Georgia. I am sorry, sorry.

14 And I thought I'd also let you know what
15 these countries have done in order to have their
16 trade restrictions lifted, Cambodia took the
17 following actions that was to de-register vessels
18 that were previously identified as conducting
19 illegal, unreported and unregulated fishing in the
20 convention area, they changed registry companies and
21 then also they will not authorize other vessels to
22 fish in the convention area.

23 Equatorial Guinea took the following
24 actions that was to cancel licenses and files of
25 large-scale longline vessels that previously were

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1 participating in the IUU tuna fishing in the
2 convention area. And then they guaranteed to comply
3 with ICCAT conservation and management measures.

4 And then finally Sierra Leone addresses
5 some concerns regarding data reporting, they
6 developed a monitoring and control plan, and then
7 finally will de-register vessels previously
8 identified as conducting IUU fishing in the
9 convention area.

10 And then as I mentioned before there is a
11 second part to this proposed rule, there was a
12 proposed rule that -- a final rule that was published
13 in November and will become effective July 1, so
14 that's later this summer. And that rule dealt with
15 bigeye tuna statistical documents and the issue here
16 is that it removed this Section 635.41 which was
17 species subject to documentation requirements, they
18 just changed that number. So there was a second
19 final rule that dealt with trade restrictive measures
20 and chartering permits.

21 And that second rule has references to that
22 section number that was removed. So this is just some
23 housekeeping to fix the section numbers, and those are
24 all outlined in the proposed rule. So then I'm --
25 finally just want you to know that the public common

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1 period for this proposed role ends on April 7th and
2 comments will be accepted up until then and there are
3 several different ways which you can send us those
4 comments.

5 MODERATOR CHRISTOPHER ROGERS: Thank you,
6 Megan, any questions or comments on the ICCAT trade
7 restrictions, I see Russ Nelson, and was that Rick
8 Weber? No?

9 SPEAKER: I know this isn't directly --
10 well it's related, but it's not part of the process,
11 but do we have any idea what happened to the vessels
12 that were de-flagged and de-registered?

13 MODERATOR CHRISTOPHER ROGERS: Well, under
14 the way I can operate, if they get re-registered and
15 are misbehaving they can remain on the IUU list, but
16 they will have to be nominated by somebody, typically
17 Japan has done the most homework in this regard, they
18 have tracked the vessels, followed them and we have
19 had some issues with the Peoples' Republic of China
20 in the past where a lot of these vessels were showing
21 up on their registry and they would report to us, and
22 others at ICCAT was that, well, it's better to have
23 them in a controlled situation where we are claiming
24 them and regulating them than to allow them to
25 continue with flags of convenience. So we do have

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1 some concerns on Chinese approach but for the most
2 part as long as they're within their vessel limits
3 and catch borders, which probably they haven't, it's
4 not necessarily an issue that they pick up IUU
5 vessels.

6 But again it's incumbent upon all ICCAT
7 contracting parties to use their vessels siding and
8 provide information prior to and at the annual
9 meetings to determine whether vessels should remain on
10 the IUU list regardless of who the current flag
11 country is.

12 Any other comments, again to clarify that
13 it's not the state of Georgia that was reference for
14 bigeye tuna, that is former Soviet Republic of
15 Georgia. All right, Megan, you got off easy at your
16 first public hearing, we'll have to give you a more
17 controversial subject next time.

18 Gwendell (phonetic) and he did have a
19 question that he passed me, regarding the IUU list or
20 positive list, the ICCAT is now maintaining two
21 lists, one is authorized vessels, one is presumed IUU
22 vessels. This proposed or the final rule that was
23 issued in November last year, just prior to the ICCAT
24 meeting is the rulemaking that allows us to
25 discriminate based on vessels in terms of import

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1 restrictions.

2 That will come into effect on July 1st this
3 year, and we would use the bigeye and swordfish and
4 bluefin statistical documents that -- section on the
5 document that names the vessel, to compare, to
6 authorized list and IUU list to see if it's
7 admissible. So that would be effective in July 1 in
8 2005.

9 All right, our next subject always of
10 interest, Dianne Stephan is going to lead us through
11 the 2005 bluefin tuna quota specifications. Okay, I
12 have a reminder here that the -- your comment is not
13 restricted to this meeting here, you can certainly
14 give us the comment on the presentations as well as
15 these proposed rules in writing up to the goals of
16 the comment period.

17 MS. STEPHAN: Thanks Chris. My name is
18 Dianne Stephan, and I am with the Gloucester Field
19 Office of the Highly Migratory Species Division. I'm
20 going to be reviewing the bluefin tuna specifications
21 for the 2005 fishing year, which are currently
22 available for review and comment.

23 I'll briefly discuss their contents and
24 then we'll open the floor for discussion. You may
25 note on your agenda that this is identified as a

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1 public meeting rather than a public hearing. The
2 specifications went to the federal register on
3 Friday, and since we have to give two weeks notice
4 before we can call this as an official public
5 hearing, it's actually a public meeting.

6 However, I will be taking your comments
7 into the record. The baseline allocation for the
8 2005 specifications is set based on the allocation
9 which we received from ICCAT which is currently still
10 based on a recommendation from 2002 and we take that
11 amount and apply the percentages for each category
12 based on what was set forth in the 1999 FMP. So the
13 allocation from ICCAT is done in the bottom right
14 hand corner 1489.6 metric tons.

15 From this number we subtract 25 metric tons
16 which is set aside for catches for the longline
17 category in what was identified as the vicinity of
18 the management area boundary which we call the --
19 which we have decided as the NED, so the remainder we
20 apply the percentages from the 1999 FMP to -- for the
21 general category, the FMP states that 47.1 of this
22 allocation will be used and that amount comes to
23 689.8 metric tons for the base line quarter for 2005.

24 And then you can just follow the columns
25 down for the rest of the categories. In addition to

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1 the baseline quarter we look at overharvest or
2 underharvest that occur during the previous year.
3 For overharvest, any overharvest that occurred, we
4 can either subtract the overharvest from the
5 individual category in which that overharvest
6 occurred or we can cover the overharvest from the
7 reserve category.

8 Likewise for the -- if any underharvests
9 occurred, we can add the remaining quarter to the
10 same category for the following year or we can
11 allocate it to the reserve category. So in order to
12 understand what we are going to be doing for 2005, we
13 need to take a look at what happened in 2004, the
14 first column of numbers is the final -- initial 2004
15 specifications, which were just finalized this month,
16 the next column indicates any in-season adjustments
17 that occurred during 2004, and I'll run down this
18 column for you.

19 We moved -- we removed 2223.1 metric tons
20 from the general category and 76.9 metric tons from
21 the general category, 40 metric tons from the harpoon
22 category, 100 from the purse seine category and 45
23 metric tons from the longline category. 223.1 metric
24 tons were added into the angling category and the
25 rest of all the removals were added into the reserve

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1 category. So the result is the third column of
2 numbers and also the following column of numbers is
3 the 2004 catch and note -- please note that this is
4 as of January 19th of this year.

5 So there are several categories that were
6 still open, more specifically the longline category
7 and the angling category. So this is basically not
8 including any of the numbers that we get from our
9 North Carolina tagging data. So our final over --
10 underharvest for 2004 is the final column on the
11 right and includes 16 metric tons of underharvest for
12 the general category, so the underharvests are all in
13 black, overharvest is in red, eleven and a half for
14 the harpoon category, about 258 metric tons for the
15 Purse seine category, 85 for the longline category,
16 2.3 for the trap, 59.4 metric tons of overharvest in
17 the angling category and then we have quite a bit
18 that we're carrying over from the reserve, 298.3
19 metric tons in the reserve, which brings us to the
20 table that indicates the proposed initial quarter
21 allocations for 2005.

22 Two of the columns in this table, you guys
23 have already seen, the first column is the overage
24 and underage which carry over some 2004 which we just
25 looked at in the last table, and then the third

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1 column over which is baseline '05 is from the first
2 table and that's just the -- the straight percentages
3 from the FMP applied to the ICCAT allocation. The
4 center column or any adjustments that we're going to
5 be applying -- that we've proposed in the
6 specifications, and I'll run down that column for
7 you. We're looking at adding 202 metric tons back
8 into the general category from the reserve, 21.4 into
9 the harpoon category from the reserve, 59.4 to cover
10 the overage in the angling category and then there is
11 an additional 7.8 metric tons which is being added to
12 the reserve which is the result of dead discards
13 which were not harvested during 2004. So if you add
14 up those three columns all the way you'll get the
15 right hand column which is the proposed initial
16 quarter for 2005, 908.3 for the general category, 90
17 for the harpoon, about 229 for the longline, 3.8 for
18 the trap.

19 I want to make a note that in the handouts
20 there was an error so this is the correct number on
21 the screen, 530 for the Purse seine category, 288.6
22 for the angling category, 59.4 in the reserve and a
23 total of 2109 for 2005. Several of these categories
24 are further broken down into subcategories; the
25 angling category is broken down into the school

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1 category, the large school and small-medium category
2 and the trophy category and then is further broken
3 down based on the location of harvest.

4 So for the school category we've got a
5 117.2 total metric tons allocated in the '05 specs,
6 broken down into the north, the south and the reserve
7 for the large schools, small medium sized category
8 164.8 broken down by north and south, again, and in
9 the trophy, 8.8 metric tons broken down by north and
10 south again.

11 And one note on the angling category, ICCAT
12 requires that we maintain a 4-year average of school
13 bluefin landings below eight percent of the total
14 landings for the United States. 2005 is the third
15 year in that four-year average and as our landings
16 have been slightly above that eight percent, so we're
17 also asking for comments on how to reduce the catch
18 of small bluefin tuna -- excuse me, school bluefin
19 tuna for the 2005 and the 2006 years.

20 We're going to be talking on Tuesday
21 evening specifically about the recreational fishery
22 for 2005, so I'd ask you that you hold your comments
23 on that until that discussion.

24 The other category that's broken down into
25 sub-categories is the general category and the sub-

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1 categories are based on time periods. The first sub-
2 category is from June through the end of August
3 that's allocated 60 percent of the overall quota and
4 that would end up being 53 -- 539.04, 2005, the
5 second time period is the month of September and that
6 is 30 percent of the overall category and that's --
7 of the overall quarter and that is 269.5 metric tons
8 and the third sub period is October through the end
9 of January, that gets 10 percent and that is 89.8
10 metric tons and then there is a 10 metric tons set
11 aside for the New York pike. We've also proposed
12 restricted fishing days for the general categories.
13 The purpose of the restricted fishing days is to
14 assist in extending the general category season and
15 approve the distribution of fishing opportunities
16 without increasing the overall mortality.

17 The RFDs that we have proposed in the specs
18 include all holidays after November 18, which would
19 be Thanksgiving, Christmas Eve and Christmas, New
20 Year's Eve and New Year's Day. Also Fridays,
21 Saturdays and Sundays after November 18th. The
22 common period for the specs will be closing on April
23 18th, there are several ways that you can provide
24 your comments in addition to verbalizing them today.

25 You can send them electronically to two

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1 options, which would indicate on the screen and also
2 on the handouts that you've received. You can snail
3 mail them to me at this address or send them to our
4 fax, that's all. And just to remind you that we've
5 got several bluefin tuna items on the agenda for
6 Wednesday, so if we can restrict our comments to just
7 the bluefin specs right now, I think that would make
8 our discussion most effective. Thank you.

9 MODERATOR CHRISTOPHER ROGERS: Okay, thank
10 you, Dianne. I am sure everyone loves bluefin.
11 Minutiae would always elect to participate in a
12 separate working group if we establish one for
13 bluefin, but it is rather complicated. I just want
14 to make one note with respect to the slide Dianne
15 showed on the general category sub periods. That is
16 as we say hard coated in the plan, right now the
17 fishery management plan contains the percentage
18 allocations for each sub period.

19 And we understand that that is one of the
20 items for discussion as we go through the planned
21 consolidation and amendments. They are two and I
22 know Louis Daniel had asked me this at the South
23 Atlantic council meeting when we presented this at
24 the scoping, I guess the post scoping, the pre-draft
25 meeting as to why we were proposing this before

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1 dealing with any amendments to it.

2 Well, we want to do is follow the process
3 as it exists now and get the specs completed as early
4 as possible this year and if there are any changes
5 which ensue due to the discussions that we intend to
6 have and the comment on the actual plan
7 consolidation, we will make those accordingly in the
8 final rule, so again the general categories sub-
9 period as presented by Dianne reflects what is
10 currently in the plan, not what we anticipate will be
11 in the plan probably as soon as September or so this
12 year or effective perhaps by December or so.

13 Again, trying to respond to the ongoing
14 issues with the North Carolina petition for
15 rulemaking we received several, several years back
16 now on reallocation for -- to accommodate that --
17 that went to bluefin tuna fisheries zone. Again,
18 this reflects what exists, not what will exist and we
19 will have some further discussions as Dianne noted on
20 bluefin tuna managements at several places throughout
21 the meeting here.

22 But again if we can take comments right now
23 on what is proposed with regard to the current
24 constraints on bluefin tuna allocations. We had Joe
25 McBride, I think Bob Fitzpatrick? No? Rich Ruais;

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1 Joe McBride, Rich Ruais.

2 MR. McBRIDE: Yes, Rich, thank you -- Chris
3 rather, excuse me. Dianne, if you could be kind
4 enough tomorrow at the after-hours forum on the
5 angling category quota breakdown, you mentioned the
6 North-South breakdowns in numbers, but if you could do
7 it by state by state, north-south, particularly --
8 well, I'm only interested in north specifically. But
9 it would be good if we knew what the landings were on
10 each state according to your reckons. Is that a
11 possibility for tomorrow night?

12 I don't want to belabor it now, you might
13 not be prepared.

14 MS. STEPHAN: I don't know, but I will check
15 with our recreational landings experts and see if they
16 can do that for us.

17 MR. McBRIDE: All right, then we'll -- is
18 that a yes, you have information, Chris, or you --

19 MODERATOR CHRISTOPHER ROGERS: I believe to
20 some extent for 2002 -- 2003 was addressed in the ad
21 hoc committee report. We can bring some copies of
22 that although you've already mailed one of those, if
23 you didn't bring it with you. The 2004 information, I
24 know we certainly have it, whether we can get it
25 together in that forum for tomorrow night I'll have to

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1 see. We'll try.

2 MR. McBRIDE: Well, okay, my -- an
3 additional comment, if I may. To have an intelligent
4 discussion of the distribution of this resource, north
5 and south or however you want to divide it because you
6 were mentioning the possibility of doing away with the
7 north-south line. And in the years past, we've asked
8 explicitly for a subcategory for the Block Island
9 Sound, for lack of a better geographic term, area
10 where we are cut out of the fish because of the
11 environmental processes that go on, either early or
12 during the season or later on in the season.

13 When we normally get our fish, there is
14 nothing left for us to get. And this isn't the first
15 year, it was the same problem last year, I don't want
16 to belabor it now, we'll talk more tomorrow. But we
17 really should see state by state to see what New York,
18 to see what Connecticut and Rhode Island, what the
19 landings are of bluefin in those three states. And to
20 do a reasonable accurate survey of the landing, they
21 all should be included, please.

22 MODERATOR CHRISTOPHER ROGERS: Thank you,
23 Joe. Rich Ruais?

24 (tape interruption.)

25 MR. RUAIS: Well, what had changed was the

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1 deliberations of the ad hoc committee going through
2 painstakingly the data and the methodology to revisit
3 and revise 2002, 2003. So you could say that the
4 framework was firmly established, well in place and it
5 was just a matter of getting the contractor to commit
6 that final installment of data in January and plug
7 into that process.

8 There may be a few issues, so we're trying
9 to reconvene the ad hoc committee to review what was
10 done for 2004 to make sure it's as consistent as
11 possible with the methodology that was finally settled
12 on for 2002-2003. So again, it's just a matter of the
13 framework being there, not disputed to all the
14 relevant parties that participated in that process.

15 There may be a few changes based on the
16 calculation of average weights. It's -- there was
17 also some concerns that were addressed by the
18 committee for 2002-2003. But we anticipate it's
19 pretty close to what the final numbers would be.

20 (tape interruption.)

21 MODERATOR CHRISTOPHER ROGERS: Well, I think
22 Louis Daniel is next. He'll comment on whether we
23 were overly restrictive.

24 MR. DANIEL: Yes, you were, without
25 question. Especially now that I see that there were

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1 288 tons left when we closed on the 4th. That hurts.

2 But it don't hurt me, my pocketbook, like it does
3 some of the folks around the table, but I won't, I'm
4 not going to belabor that point right now.

5 I guess my main thing is that I too agree
6 with Rich that, you know, I think it's great to get
7 these out so early. I was real surprised to see it
8 when I was called for the hearings and I was real
9 pleased to see it. And my hope is that the
10 consolidated HMS FMP, Jack and Chris and Margo, are --
11 is also one of the expected management actions in
12 2005.

13 I assume that it is from all the discussions
14 that we've had in that North Carolina will have an
15 opportunity and the South Atlantic states will have an
16 opportunity to preplan this year before the December 1
17 sub-quota period begins, instead of waiting until the
18 last minute, as we have the last several years.

19 I would just ask, plead, that if indeed the
20 season up north is as it was last year, that some of
21 the underages be put into reserve to give the folks
22 better fishing off in North Carolina and in the South
23 Atlantic, some cushion to have an opportunity to
24 continue to fish later into the January sub-quota time
25 period.

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1 This year, when the fishery closed on the
2 4th of January, the next day a fish was landed in
3 Hilton Head and one of our big goals in the South
4 Atlantic has been to try to extend this fishery down
5 into the South Atlantic region and give the states of
6 South Carolina, Georgia and Florida some access to the
7 general category fishery.

8 Also, as I'm sure you'll hear if you haven't
9 already, we had a real -- we were very successful in
10 promoting this fishery this year and having a lot of
11 our brothers from the northern states come down to
12 participate in the general category fishery. And I
13 think they probably spent more money on hotel bills
14 hanging around waiting for openings and closings than
15 they actually made in the fishery this year. But
16 everyone who participated was very pleased in the way
17 that the fishery had -- operates off North Carolina.

18 And we certainly had vessels from
19 Massachusetts, New York, New Jersey, Maryland,
20 Virginia, Georgia, South Carolina, Florida, coming
21 into North Carolina to take advantage of that fishery.

22 So to be cognizant of that this year a little more
23 than we were last year, understand the economic
24 benefits of this, especially to the guys up north that
25 have had such a dismal season, you know, I think we

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1 can really allocate this general category sub-quota to
2 -- the real benefit to the general category permit-
3 holders, more so that we have in the past.

4 MODERATOR CHRISTOPHER ROGERS: Okay. Thank
5 you, Louis. Bob Fitzpatrick, and then Rom Whitaker.

6 MR. FITZPATRICK: The specifications look
7 great. And I don't know if this is the right forum
8 for this, but it's interesting that we can have a few
9 years where we -- where the recreational fishery
10 catches too much, yet we come back and we've got a big
11 pile of fish.

12 The problem is that it's because there is no
13 performance in the fishery in New England and if
14 industrial-scale herring fishing continues inshore in
15 the Gulf of Maine, this issue will snowball on you.
16 The purse seine category won't perform, the general
17 category won't perform and you will -- eventually,
18 you're either going to have a hell of a winter in
19 North Carolina or we're going to have so much quota
20 piling up that we're not going to know what quite to
21 do with it.

22 So I don't know if there is any room in
23 there to start to look at that in this process, but
24 it's a nightmare. We've got science, and as Chris,
25 you were in Maine at the forum, we've got science and

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1 fishery observation that are dead against one other.
2 Fishermen that say that there aren't any herring, that
3 60,000 is way too high, that it's been over-fished. A
4 lot of people, Von Anthony (phonetic) included, I
5 think, I think that it's already killed, that the
6 interspawning component is wiped out.

7 And so I don't know if it comes under
8 habitat, but year after year now we see a large body
9 of bluefin show up in the Gulf of Maine and they leave
10 because there is nothing for them to eat. Canadians
11 are happy about it, that's it.

12 MODERATOR CHRISTOPHER ROGERS: All right,
13 thank you. For those who had the opportunity to be
14 there that was a good informative session at the Maine
15 Fishermen's Forum, looking at not only the herring
16 distribution but also other factors that may lead to
17 changes in bluefin tuna in the Gulf of Maine, exchange
18 of water masses and sea surface temperature and
19 salinity. But clearly the group in the room was
20 pointing to the herring, interaction with the herring
21 fisheries as the main determinant of bluefin tuna
22 distribution in the Gulf of Maine. We will address
23 that to the extent we can in this plan through the AFA
24 designations, but again we will have to coordinate
25 closely with the New England council on that matter.

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1 And obviously, they will be following the herring
2 assessments that they will receive from the Northeast
3 Science Center.

4 I think we had Rom Whitaker and then Pete
5 Manuel.

6 MR. WHITAKER: Yes, and I'm speaking from a
7 charter boat operator who also participates in the
8 general category fishery, but since I didn't get the
9 2004 and the initial Atlantic bluefin tuna quotas
10 until March 7, 2005, I'm not sure what you did or how
11 you did it. But you certainly took a step in the
12 right direction in helping our industry. We'll be
13 able to plan a little bit as to what's going to
14 happen, and -- I mean, I could hardly believe it when
15 they said the specs were already out.

16 And I'm not exactly sure how you ended up
17 with the numbers but I will -- would like to see it.
18 It looks real promising now, and I hope that it'll
19 reflect what Louis said, if there is quota left
20 available, we would certainly like to take advantage
21 of it. And I also want to thank you for letting the
22 angling continue till -- I think it just closed here
23 in the last couple of weeks, but that's certainly very
24 important too. Thank you.

25 MODERATOR CHRISTOPHER ROGERS: Thank you,

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1 Rom. Well, give a plug then for Joe DiFossi
2 (phonetic) for working on the angling category aspects
3 for '04, and certainly Dianne Stephan, in pulling the
4 '05 aspects together. Again this is in essence only
5 part of the process, because we will be deliberating
6 through the consolidation on ways to revitalize or
7 revise the allocation decisions in in-season
8 management. We'll get more into that, well, tomorrow
9 night and then on Wednesday.

10 MR. MANUEL: A point that has been brought
11 up a lot in the past over this fishery and Joe
12 McBride, you know, brought it to light, the angling
13 category fishery, the delays in getting the numbers
14 till the end of the year, made it the question that he
15 had to have to ask. The delay in angling numbers this
16 year fortunately rolled over to 2005 283 tons from
17 general category. Those 283 tons could have been
18 harvested in January or in December, if we had had the
19 data in a timely manner.

20 That's why I feel like it it's imperative
21 that the angling category whether you stick with LPS
22 until that's changed or whatever means of counting,
23 that you get the numbers, you know, at least by bi-
24 monthly. That's a proper way to really manage your
25 fishery in real-time data. And I think that he

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1 brought a point out there, opened a lot of people's
2 eyes, without the information you can't manage your
3 fishery in real-time information. Thank you.

4 MODERATOR CHRISTOPHER ROGERS: Okay, thank
5 you Pete. Any other questions or comments on the
6 proposed 2005 bluefin tuna quota specifications?
7 Well, at this point we do have some time and any
8 members of the public that wanted to come in on any
9 three of the presentations, both the ICCAT trade
10 restrictive measures, the shark quotas, or the bluefin
11 tuna proposed quotas. No public members. Well, we
12 are well ahead on our agenda for today. I guess we
13 were caught you off guard by having the tuna specs out
14 months before you anticipated it.

15 But again, I do thank Joe and Dianne for
16 pulling that together to try to give us a better
17 chance of meeting your needs for early information
18 about the proposed specifications.

19 SPEAKER: And Brad McHale too.

20 MODERATOR CHRISTOPHER ROGERS: Oh, and Brad
21 McHale. I know he had to pull all those numbers
22 together from the commercial monitoring system. What
23 -- it is the pleasure of the Committee, I see Bob
24 yawning there, Bob Pride, but that doesn't mean he's
25 not interested in going on through 5:00 o'clock.

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1 Randy Blankenship?

2 MR. BLANKENSHIP: Since we've got this
3 little bit of time here, we were having a question
4 earlier about the hierarchy with the new international
5 office and how that will fit into the structure of
6 things for National Marine Fisheries. Is that part of
7 the Office of Sustainable Fisheries? Is it in line
8 with that, is it off to the side? How does that work?

9 SPEAKER: No, I think that there's been a
10 concern for a long time that since we broke up the old
11 international office, we recognized a need to do
12 coordination. We've been looking for lots of
13 different ways of doing that and none of them worked
14 satisfactorily. The international portfolio for this
15 agency is huge and it makes sense to have a lot of
16 things distributed and handled by people with
17 particular sets of expertise either in a regional
18 basis.

19 You know, the folks in Alaska really need to
20 be handling the Bering Sea stuff with Russia, although
21 frankly our office has helped coordinate that for a
22 long time. On the one hand, they have people who are
23 the experts, either in an office or in the region, do
24 that, but on the other hand making sure that everybody
25 is talking to each other. We know for example in some

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1 of the things that you are interested in, you know, we
2 send four or five different sets people to four or
3 five different meetings, but the people that they are
4 dealing with, and these are the countries, are all
5 going to these meetings together.

6 And they have established relationships and
7 they know how to deal with each other and we always
8 felt that to some extent we weren't making a strong
9 presentation on behalf of the United States as we
10 would like to be able to, simply because we didn't
11 have enough follow-through and coordination.

12 So ultimately Bill came to the conclusion
13 that the only way to do that was to reestablish the
14 Office of International Fisheries, which he did.
15 Actually he reestablished it last year and about a
16 month ago Jean-Pierre Ple came over from the State
17 Department to be the director of that office.

18 So what they have done in a formal sense, I
19 mean, Dean Swanson's budget is still in my budget. I
20 make sure he is aware of that all the time but,
21 informally now, in any formal reporting sense, Dean's
22 division, which has handled ICCAT and a lot of other
23 things, is part of the new office. One position from
24 the Science and Technology Office, I think two
25 positions from Protected Resources, folks who dealt

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1 really in international issues have also migrated to
2 that office. So they're beginning to build up and
3 that's where Chris will end up working out of when he
4 transitions into this new role.

5 They're separate from us, they -- Jean-
6 Pierre reports to Rebecca though, so Rebecca is still
7 really the person who continues to be in charge. And
8 I think he'll end up, you know, making this better. I
9 was not a believer of this when I first came back to
10 the Agency three years ago, but after watching our
11 performance I really think that this is going to be
12 the right move. Jaime?

13 MR. ALVARADO-BREMER: I'm glad you said
14 that, the way that you said that because one criticism
15 of the old international is that not having those
16 experts focused and concentrating on, you know, areas
17 of expertise. When it gets, you know, too many jobs
18 around those 60 or so international forums that we're
19 involved in, it becomes less effective. I'm real glad
20 you spoke the way you did on this focus.

21 SPEAKER: I'm a little confused by all the
22 lateral movements and everything. Jean-Pierre Ple is
23 still with the State Department, he's just in a
24 slightly different role, is that right?

25 SPEAKER: No, Jean-Pierre now works for

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1 Rebecca, he is the office director for International
2 Fisheries and NOAA Fisheries.

3 MODERATOR CHRISTOPHER ROGERS: All right,
4 well, we're not used to having free time at the
5 advisor panel meetings. So I was going to suggest we
6 take one item off the agenda for tomorrow and knock
7 that off. Ken, you had a question or comment?

8 MR. HINMAN: Well, I did not know if you
9 were going to do this at the end of the meeting or
10 not, but can you sketch out the timeline for the
11 Amendment 2, now that you've done the pre-draft and
12 the comment period ends the end of the month? When we
13 might expect the draft and when we might expect public
14 hearings?

15 MODERATOR CHRISTOPHER ROGERS: Well,
16 generally speaking we intended to regroup after the
17 **AP**. We really need see how much progress we've made
18 on identifying preferred alternatives and getting
19 feedback on the level of analysis that will be
20 required. But to nail down a firm timeline that we'd
21 report back to Jack and Bill and Rebecca, well,
22 generally speaking we would be working on the formal
23 draft document, a draft environmental impact
24 statement and the proposed rule and try to get them
25 out in maybe a June time frame, so that we would have

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1 opportunity for discussion over the course of this
2 summer for the open public comment periods.

3 Since it is a formal environmental impact
4 statement and a formal proposed rule, we want to have
5 the official comment periods open as long as
6 possible, 60 days. So that would give us July and
7 August for the formal comment period and enough time
8 to schedule another advisory panel meeting.
9 Typically, what we've done in the past is to schedule
10 the advisory panel toward the end of the official
11 comment period, that way we have the benefit of
12 summarized comments for the advisory panel, but are
13 still in that open comment period for members of the
14 public who want to comment, maybe make a final
15 presentation at the advisory panel meeting.

16 So that would put us in early fall as the
17 point where we would be generating the final
18 documents during the response to comments. Normally,
19 when we issue a final rule we who would have 30-days
20 delayed effectiveness. So again, shooting for a
21 November time frame for final documents with delayed
22 effectiveness put us in a December time frame.
23 Certainly, that's the time frame that we think would
24 work to accommodate public comment. We may be
25 talking to Jack about additional resources to keep us

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1 on that time line.

2 But it certainly would make sense also --
3 one of the issues that we're discussing in this
4 document would be the change from a current fishing
5 year back to a calendar year. And it would make
6 sense to make that change on January 1, so certainly
7 we would want to be effective in order to do that.

8 So that's the general time frame and, you
9 know, we'll certainly be keeping folks apprised as we
10 issue each document, each milestone, each step of the
11 way. And certainly we'll be in contact with the
12 advisory panel once the draft documents get out so
13 that we can schedule an advisory panel meeting.

14 Any other comments or concerns on the time
15 line? Well, seeing as we've done well on our time
16 line for today I thought one possibly -- okay. All
17 right, well, it's 4:15. I think we could probably
18 knock off what had been scheduled for 11:30 tomorrow,
19 northern albacore tuna, pretty quickly. And then
20 Louis Daniel has some information he can present.

21 Rebuilding plan for northern albacore, it
22 was designated as overfished based on an ICCAT stock
23 assessment in October of 1999 report to Congress.
24 Under the Magnuson Act, if a species is designated as
25 overfished, you have one year to implement a

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1 rebuilding plan. That rebuilding plan has certain
2 parameters but in the unique case of internationally
3 managed fisheries, the Magnuson Act does allow for an
4 internationally negotiated rebuilding plan.

5 That's what we had done in the FMP for
6 Atlantic bluefin tuna and for North Atlantic
7 swordfish. That FMP came in the Summer of 1999, and
8 therefore didn't have the benefit of that stock
9 assessment information. So we've been in a situation
10 where we've designated northern albacore as
11 overfished, but have not implemented through a plan
12 amendment a formal rebuilding plan.

13 Again, it was our intent to implement a
14 rebuilding plan similar to that which had been done
15 in the plan for bigeye tuna. In other words, we had
16 information from ICCAT for rebuilding plans for
17 bluefin tuna and for North Atlantic swordfish. And
18 we -- what we did with bigeye was to establish the
19 foundation within the plan to ahead and negotiate a
20 rebuilding plan at ICCAT with timetables and targets
21 and things like that consistent with the Magnuson
22 Act. But we have not had the opportunity to do so
23 for northern albacore until this juncture because the
24 plan was opened so to speak for new items to be added
25 to it.

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1 What is the current status of northern
2 albacore? At the 2000 meeting, ICCAT for the first
3 time recommended a hard tack with country quotas.
4 34,500 metric tons was recommended. That is a
5 replacement yield level according to the current
6 stock assessment. In other words, even though the
7 stock was considered slightly overfished, at least at
8 this initial phase, it was stabilized so to speak at
9 a replacement yield level.

10 The United States received a quota of 607
11 metric tons of that allocation, a very low
12 percentage. In the subsequent ICCAT meetings we have
13 tried to address that, requesting some more
14 flexibility on that 607 metric tons, because our
15 fishery is highly variable. When albacore are
16 running close to the shore not only are they picked
17 up in some of the commercial fisheries, but in the
18 recreational fishery as well. And we were concerned
19 that on average we may exceed that 607 as well as be
20 below it.

21 We have been below it by factors of 100 to
22 150, 200 metric tons in the intervening years, so we
23 certainly haven't exceeded 607 metric tons. And in
24 fact have been able to carry forward some of the
25 underharvested amounts. SCRS attempted to revise the

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1 assessment in 2004, but could not do so, particularly
2 because of some concerns about the catch-at-age
3 information from some of the major harvesting
4 nations.

5 It hadn't been appropriately validated,
6 conversion of fish lengths to ages, and therefore did
7 not do an age-structured assessment. In a 2003
8 meeting it had been -- the tack had been extended
9 again to -- by 34,500 metric ton, again a replacement
10 yield that came out of the 2000 assessment.

11 So the next assessment is actually
12 scheduled for 2007; it is a question as to whether
13 the assessment will change markedly from that which
14 was done in 2000. I guess you could say the saving
15 grace, if anything, for northern albacore has been
16 that the catches had been well below the tack.
17 Particularly the European community, we have asked
18 them what was the problem with respect to not meeting
19 their catch quotas.

20 At first the answer was banning drift nets
21 in the Bay of Biscay and converting those fishermen
22 to trawling, and they were not effective at it, at
23 least initially. Most recently they stated that the
24 albacore, in a similar situation that we face, were
25 well offshore and not accessible to the trawl fleet.

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1 But clearly they have been only harvesting amounts,
2 around 20,000 metric ton level even though their
3 quota has been about 28,000.

4 So it remains to be seen exactly what the
5 next assessment in 2007 will show, whether the low
6 catches are assigned as the stock is continuing to
7 decline or if it truly wasn't the availability issue
8 to the fleet. One could assume that the low level of
9 harvest relative to replacement yield might indicate
10 that the stock has been might even say fully rebuilt
11 by the time they get that assessment done.

12 So what does that mean for us? We had put
13 a -- in a preamble to a proposed rule back in 2000,
14 the issue of what should be our strategy for
15 rebuilding northern albacore. We included several
16 alternatives, no action, a 10-year rebuilding program
17 executed on a unilateral basis and similar to what we
18 had done for bigeye and bluefin and North Atlantic
19 swordfish, establishing the foundation within the
20 plan for an international rebuilding program that
21 would be negotiated through ICCAT.

22 Again, since we didn't open the plan up for
23 amendment at that time we hadn't included that in the
24 plan, but we did get favorable public comment at the
25 time that establishing the foundation for an

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1 international rebuilding program would be the
2 appropriate approach for northern albacore. Also got
3 some comment that whatever we negotiated, ICCAT
4 should include some flexibility for the U.S. fleet
5 regarding its access or availability to northern
6 albacore resource as being somewhat subject to
7 variation from year to year.

8 So at this juncture, we're basically
9 putting out the same alternatives for additional
10 public comment and would include a preferred
11 alternative in the draft plan. And certainly will
12 include the final plan or final rebuilding plan in
13 the consolidated FMP. I think that was their last
14 line. Joe McBride and then Nelson Beideman, northern
15 albacore.

16 MR. McBRIDE: Yes, thank you, Chris. The
17 northern albacore is a very, very important fishery
18 in our region, offshore the months of August and
19 September. It's turned out to be what the great
20 demise of the yellowfin, the major tuna we're
21 catching. You used the term or acquiesced to 607
22 metric tons based on recent average U.S. catches.
23 What's the determination of -- what is the deciding
24 factor? How did you come up with that figure? Or
25 how did you acquiesce to that figure?

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1 MODERATOR CHRISTOPHER ROGERS: Well, that
2 first occurred at the 2000 meeting, which was in
3 Morocco. And that was based, I believe, at that time
4 on the past five years of catches that the U.S. had
5 reported to SCRS. So that it was a five year average
6 at that time.

7 MR. McBRIDE: Yeah, and now --

8 MODERATOR CHRISTOPHER ROGERS: Since then
9 it has been consistently below 607 by -- again, in
10 the order of 100 metric tons or so.

11 MR. McBRIDE: Well, you know, at one time,
12 I don't know what goes on now with variations in the
13 fisheries, but at one time there wasn't much, and
14 this -- at least in my geographic area, of a
15 commercial fishery. This was probably almost a
16 recreational fishery, there was no money on longfin
17 tuna, yellowfin far exceeded it in value, so if you
18 brought it in, if they gave you anything, they gave
19 you almost nothing.

20 Well, they told you they didn't want them
21 when they came in, so they stay with the recreational
22 community, but they are very important to us in the
23 recreational community. And I wouldn't want to see
24 us giving it away and I don't still know how your
25 landings, were your landing commercial landings, you

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1 report to SCRS, so what was decided recreational --

2 MODERATOR CHRISTOPHER ROGERS: Both
3 commercial and recreational.

4 MR. McBRIDE: Well, what was the
5 recreational basis? BPRs (phonetic) in those days or
6 --

7 MODERATOR CHRISTOPHER ROGERS:
8 Well, that would be primarily MERFs.

9 MR. McBRIDE: Primarily MERFs?

10 MODERATOR CHRISTOPHER ROGERS: To some
11 extent they yellow -- albacore are captured in the
12 Large Pelagic Survey as well, but between the two of
13 them --

14 MR. McBRIDE: Well, I mean, why wouldn't
15 they be in the Large Pelagic Survey, as a general
16 rule which is, bad as it is, it is probably better
17 than MERFs. You know, what I am really saying is I
18 don't think these are accurate figures. I don't
19 think this is a right percentage of the pie for the
20 United States and I -- you know, I certainly wasn't
21 there, so I don't know. But 607 metric tons is a
22 small proportion for the United States catch, but
23 even now, as you say, the landings right now don't
24 come up to 607 metric tons, is that correct?

25 MODERATOR CHRISTOPHER ROGERS: That's

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1 correct. I think in the last three or four years we
2 reported in from about 450 to 550 or so.

3 MR. McBRIDE: All right. Thank you.

4 MODERATOR CHRISTOPHER ROGERS: Thank you,
5 Joe. Rom Whitaker? Nelson, and then Rom Whitaker.

6 MR. BEIDEMAN: What kind of scientific
7 support do we put into the albacore stock assessment?

8 Because I just think something is funky with the
9 science on albacore. Each of these critters that we
10 deal with is a little bit different. But, you know,
11 adult albacore is what our fisheries catch, you know,
12 both recreational and commercial. And those adults
13 are spread out everywhere. Everywhere you go, if you
14 fish deep enough you will get some albacore.

15 And the Japanese, you know, proved this in,
16 you know, the area fishing that they do, you will
17 catch some albacore. And they will gather, they will
18 congregate, but they congregate a little bit
19 differently than some of the other species we're used
20 to. And I just think that, you know, as yet we don't
21 have a full handle on the science and that in the
22 long term the U.S. needs to, you know, look into what
23 scientific support we are putting in there, so that
24 we can learn.

25 Because something is funky about, you know,

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1 albacore being so much further down than some of
2 these other species that do congregate more and do
3 have a lot more fishing effort on them continuously.

4 MODERATOR CHRISTOPHER ROGERS: Well,
5 certainly the U.S. scientists participate in the
6 assessments and they bring the data available from
7 the U.S. catches. Obviously, it's highly depended on
8 the EC since they are the main harvester of albacore
9 with -- I guess close to 90 percent of the tack was
10 allocated to the -- maybe 85-90 percent of the tack
11 allocated to the EC. So obviously most of the catch
12 statistics are going to have to be supplied by the
13 EC. And particularly the catch-at-age information
14 was what was lacking last time around for the
15 assessment. Rom Whitaker?

16 MR. ROM: Yes. We don't catch northern
17 albacore in my area, but what concerns me is what Joe
18 said is about the, you know, all of a sudden we're
19 assigned to count our tunas and we're going to
20 probably be dealing with yellowfin tunas here very
21 soon. And that's going to be even worse, but here
22 the United States is assigned -- we're taking a
23 number from a survey that has proved be very
24 inaccurate and years past.

25 And all of a sudden we have got a hardline

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1 quota to follow and I feel like that when our
2 counting methods come up to par a little better, that
3 all of a sudden we are going to be looking at one
4 fish a day or one per boat or something to that
5 effect. And the same thing happened with marlins,
6 you know. So I think that sometimes we have to base
7 our quota on something other than MERF survey, I
8 don't know. We have got to do a better job, but I
9 think it may be understated. Thank you.

10 MODERATOR CHRISTOPHER ROGERS: Thank you,
11 Rom. Dick Stone?

12 MR. STONE: Yeah, just to really follow up
13 on what Rom and Joe both said. It's -- Andy Loftus
14 and I, as you know, looked at yellowfin and albacore
15 a few years back. And it was very clear that there
16 was a very large underestimate possible for both of
17 the species. And we strongly suggest that looking at
18 logbooks for charter boats and party boats are the
19 way to go in getting data.

20 I think, as Rom pointed out, I mean we
21 could get ourselves in a serious trouble in the
22 future. And in fact, we have gotten ourselves into
23 trouble already because we haven't had good
24 recreational data and I think you would have seen --
25 not that makes necessarily that big a difference

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1 let's say for northern albacore, but for so many
2 other species that could. But even for northern
3 albacore why not have a census where you have an
4 opportunity to have that, versus a sample, which is
5 subject to many biases.

6 So again you will hear me get on my soapbox
7 again about trying to use logbook data for charter
8 and party boats. Thank you.

9 MODERATOR CHRISTOPHER ROGERS: Thank you,
10 Dick. Joe McBride and then John Graves.

11 MR. McBRIDE: Yes, to go along with what
12 Dick is saying I think that is extremely important.
13 With all the mechanisms that we have, MERFs, the
14 other dockside surveys, whether it be highly
15 migratory or what have you, we now have a licensing
16 system for the highly migratory species, shark, what
17 have you. The only ones that have VTR reports are
18 those I think, if I'm correct -- if I'm not correct,
19 please correct me, are those in the -- under the
20 jurisdiction of the New England Council that have
21 ground-fish permits et cetera.

22 Well -- and not to put a burden on anybody
23 else, but for accuracy, drop some of the other
24 garbage, and clean the MERF survey, as for as I am
25 concerned or let the states take it over it if there

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1 is a need for it. Utilize your resources for the
2 VTRs and try to get a professional and accurate
3 report on what goes on in our industry which has --
4 and I agree 100 percent with Rom and what Dick said,
5 unless we get accurate figures we are out of
6 business.

7 I mean many of us, including myself in New
8 York, are pushing for a state license, not because we
9 want to pay more taxes because we want an accountable
10 universe. And statistically, till we do that we are
11 going to be the garbage pile of the statistics of the
12 National Marine Fisheries Service. But you can do a
13 good job of getting accurate information because of
14 the system with the VTRs, if not, at least for those
15 who are licensed for the HMS species.

16 And that gives you your tuna, sharks, et
17 al, because no one is supposed to be fishing for them
18 now, not only the charter and party boats, but
19 everybody who is fishing for them should fill them
20 out on a daily basis to get us some facts. It
21 doesn't cost you any more than it costs you now. And
22 then of course use them once you get them. There is
23 nothing worse than putting those for the time and
24 effort of filling them out and finding out that there
25 is very little very use of the VTRs because of their

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1 regionalization.

2 MODERATOR CHRISTOPHER ROGERS: Thanks, Joe.

3 John Graves and Bob Zales and Bobbi Walker.

4 MR. GRAVES: Thank you, Chris. Just -- I
5 am going to take the ICCAT perspective here, and once
6 again, the base group of the Advisory Committee has
7 long time pushed to get better data for the base
8 group. But we have come to a hard number now with
9 albacore and we are always afraid that's going to
10 happen with the yellowfin. The advantage we have
11 here is we don't have another assessment until 2007,
12 so that gives us a horizon on which we could try and
13 do some retrospective analyses, go through the SCRS
14 process and change our historical catch information,
15 if we have data to support that.

16 So that may be something that's doable and
17 as you are looking at directing resources that may be
18 an area you want to go. In terms of the alternatives
19 that have been listed, I think from my perspective,
20 and I think I probably reflect the Committee at
21 large, is to do nothing. We have a credibility issue
22 at ICCAT, we are less than 2 percent of the reported
23 catch for northern albacore. And if we come up with
24 anything, the EC, who has 90 percent of the quota is
25 going to say, stop it.

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1 You know, this our resource, so don't tell
2 us how to manage this. So I mean the best we can do
3 is to try to work with them and to keep the
4 flexibility for our fishery, realizing that it is
5 seasonal depending on catches, depending on
6 oceanographic conditions.

7 And I'd also probably -- I'll also want to
8 point out that the reason that we are 100 to 200
9 metric tons below or 607, is probably because we have
10 a much reduced longline effort. And so that
11 contribution has been reduced, and if that comes back
12 up then we are going to be pushing the limits. So
13 there is a need for us to try and increase our
14 numbers to actually show what our historical catch
15 has been.

16 MODERATOR CHRISTOPHER ROGERS: Okay. Thank
17 you, John. We have Bob Zales and Bobbi Walker.

18 MR. ZALES: You know, I'm going to get on
19 my soapbox a little bit too. HMS, you all have, in
20 my mind, in a lot of our minds I guess, you are in a
21 unique position because basically you all have
22 permitted everybody that legally fishes for HMS,
23 whether it is private recs all the way to commercial.

24 And so you have something that really nobody else in
25 fisheries that I know of has. You have a database;

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1 you have the ability to sample everybody that's out
2 there.

3 And you know, while I have been a big
4 complainer about the recreational data system in this
5 country, I think I have also contributed quite a bit
6 to try to improve it. And I will be the first to
7 step out there and say that the for-hire survey has
8 made some dramatic improvements. But it is still
9 lacking and I'm going to give you an example, weather
10 is a critical factor.

11 And this is the reason why we've advocated
12 logbooks for the past couple of years, I guess, for
13 the for-hire industry and party boats and the for-
14 hire industry in general and at some point probably
15 getting into the purely private rec to do something
16 similar. Because last, wave 5 (phonetic) September
17 and October of '04, Hurricane Ivan devastated the
18 coast of Alabama. It pretty well devastated
19 Pensacola, Florida to Gulf Shores. And for those of
20 you who haven't seen the area, when you see pictures
21 of the tsunami that happened a few months ago that is
22 basically what it looked like when it happened. It's
23 pretty well torn up.

24 The state, for several weeks after the
25 storm, shut down the waterways. You couldn't get on

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1 the water without getting a ticket. But you had the
2 red snapper harvest in wave 5 off of Alabama, it was
3 50 percent higher than wave 5 of '03. It was
4 impossible to do. A logbook would have shown it.
5 And so you need to do something to improve this data
6 because you hear every time, every meeting that I'm
7 ever at, data is a problem.

8 And you all have -- you are in a good
9 position. You can take the data you get and make it
10 a whole lot better.

11 MODERATOR CHRISTOPHER ROGERS: Okay. Thank
12 you, Bob. Bobbi Walker and Jim Donofrio.

13 MS. WALKER: I am going to follow on with
14 that, Chris. MERF uses random coastal phone calls in
15 order to establish effort. You have something very
16 unique, as Bob said, you have the universe identified
17 with HMS permits. At the very least, you could
18 drastically reduce some of the errors by just calling
19 those people with permits. Because if you remember,
20 I don't know how LPS works, but I know that MERF on
21 random or on rare-event species, it doesn't work, and
22 they will tell you that. So you need to talk with
23 MERF and see if they can -- since the universe is
24 identified, if they can't just call those people
25 rather than just coastal.

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1 MODERATOR CHRISTOPHER ROGERS: Yes, that's
2 what we do with the Large Pelagic Survey and on even
3 under MERFs for the for-hire sector, they use the
4 permit frames now, to have targeted telephone calls.

5 The issue for a large pelagic survey though is that
6 we only dial from Virginia through Maine. So we are
7 dependent on MERFs for the private sector catches of
8 yellowfin or albacore that might occur in the South
9 Atlantic and the Gulf. So we have been in
10 discussions with our Office of Science and Technology
11 on how to expand the LPS style survey into the South
12 Atlantic and Gulf of Mexico, which would be a sample
13 frame survey.

14 MS. WALKER: Well, I know in the Gulf it
15 would be a rare-event species. But I am sure there
16 are some caught somewhere, but what's the difference
17 between LPS and MERF, the estimates? Was it a WAD
18 (phonetic)?

19 MODERATOR CHRISTOPHER ROGERS: Well, it can
20 be quite variable from year to year on MERFs, because
21 as you say, it is a rare-event species and what tends
22 to happen is you get a few dark-side intercepts with
23 the so called rare event and it does expand or
24 extrapolate through the population of the coastal
25 county because of the random digit dialing. And that

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1 is precisely why we have the LPS as a specialized
2 survey, looking only at the permit-holders and only
3 doing the dark-side intercepts at targeted mariners,
4 likely to be more representative of offshore large
5 pelagic fishing.

6 But they do fluctuate. I know that Dick
7 and Andy when they looked at it, there were some
8 instances where the MERFs was over LPS and some
9 instances where LPS was over MERFs. So it really
10 comes down to a question of variability and precision
11 within each survey, which one is -- well, they are
12 both surveys. And therefore, they are both subject
13 to imprecisions. You can't really establish one as
14 the base line.

15 You have two numbers, one is higher than
16 the other, you can't say that one is overestimating
17 with respect to the other because you don't know the
18 true number in either case. One may be biased high,
19 one may be biased low, relative to the true number,
20 or they both may be biased high, just one more than
21 the other, so --

22 MS. WALKER: If I might just interject just
23 one more point. And I apologize for taking so much
24 time, but I know in the Northern Gulf, one of the
25 things that we have identified is that the boats come

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1 in late at night or they leave late at night when
2 they are going on tuna trips. So they are never
3 intercepted by MERF because of just the time that
4 they leave and return to the dock.

5 So that's something that is going to need to
6 be worked out so that we start picking up these
7 yellowfin harvests that have been going on in the Gulf
8 historically, but it looks like we never catch them.

9 MODERATOR CHRISTOPHER ROGERS: Thanks. We
10 have James Donofrio and then Joe McBride.

11 MR. DONOFRIO: Chris, thank you.

12 MODERATOR CHRISTOPHER ROGERS: How about
13 Jim, Dick and Joe?

14 MR. DONOFRIO: Thank you, Chris. I concur
15 with John Grays that there may be some opportunity
16 here. And the way I see the opportunity is what we
17 discussed at the I-CAD meeting last week. I'm
18 convinced that we have to explore catch cards,
19 because we already have an existing license as people
20 here have emphasized today. We have an -- and I'm
21 not a proponent of a saltwater license, I can tell
22 you, but we already have it. Right now what it
23 amounts to is a tax, we have a tax with no benefit to
24 the recreational community.

25 So since the National Fishery Service has

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1 this tax on us, give us a catch card and I brought
2 samples that I'll print over tonight and send around
3 tomorrow to the committee from Washington State.
4 Just take the names off here, it says sturgeon,
5 steelhead, salmon, (inaudible). Interject the names
6 of those other species that we fish for, we the
7 limited bag limits we have, it has month and day. So
8 exactly the time that you land that fish on your
9 boat, you are supposed to take a pen because I fished
10 in Washington with my guests out there, and what you
11 do is, you just, okay, you put your month and date,
12 one Steelhead, whatever. When you -- if you get
13 boarded your catch better match your catch card. So
14 you are going to probably get your compliance up to
15 about 99 percent, because no one wants them come in
16 and have fish on the boat that don't match the catch
17 card.

18 You know it is real simple, and so there's
19 no lack of desire Chris from the recreational
20 community who want to move forward here with good
21 data, because to good data, and listen, we are going
22 to live with it. I mean it make show we have less
23 catch, more catch, whatever it is. We want a
24 transparent system that we can believe in and then we
25 go forward and we'll make the adjustments that ICCAT.

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1 But we have a strong desire to do this rapidly and
2 the consensus at ICCAT is from our committees that we
3 want to do that. I just like to hear from all the
4 other members of this panel to move forward and
5 explore this and the way you could make it more
6 accurate is, you could -- once you get your catch
7 card you make it mandatory also to call-in, so it
8 matches, okay.

9 And then at the end of the year in order to
10 get another permit as they do in Washington state,
11 you have to submit this like I have my license now, I
12 got a notice from them that I didn't submit my
13 information and I didn't know as a non-resident. Now
14 I have to dig up my permit, send it in and even if
15 you don't catch, it says, you know, they want to know
16 because they'll do CPUE. So it's a real accurate
17 system, we want to move forward, and you know, I'm
18 asking you to -- let's explore this, thank you.

19 MODERATOR CHRISTOPHER ROGERS: Thank you
20 Jim, we'll extradite you to Washington State if we
21 have to make sure you complete that -- the catch
22 card. Dick Stone and Joe McBride, please.

23 MR. STONE: Just a quick follow up. When
24 we looked at the Gulf of Mexico, where it's
25 particularly bad in terms of -- there are some zero

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1 catches in some years down there when there were
2 thousands of fish caught, you know, by the charter
3 fleet, and the head boat fleet down there. One of
4 the problems even with the new for hire survey, and
5 we looked at the new for hire survey, which supposed
6 called the captain. So, I mean, its not like we
7 haven't looked at that survey as well. And the
8 reason we have no confidence in that, in some areas
9 particularly, is simply because of this. Because
10 there is indications of no catch when there were
11 thousands of fish caught. And one of the reasons, in
12 the Gulf of Mexico particularly, they may include the
13 guide boats.

14 You know, so when you actually call people,
15 your sample of vessels that you call, you may not get
16 the people that really fished off shore. So why use
17 a system that has these biases when you can have a
18 census. I just continue to promote that. The ACCSP,
19 which is working hard to try to get better data from
20 both the commercial and recreational sides supports
21 log books, looking at log books, with quality control
22 so that you can check these things out and obviously
23 observer coverage, can be one of the things that's
24 used. So, anyhow I just.

25 MODERATOR CHRISTOPHER ROGERS: Okay, thanks

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1 Dick. Joe McBride.

2 MR. McBRIDE: Yes, thank you, Chris. To go
3 along with what both Jim and Dick said. First of all
4 going back to what Jim's point about the licensing.
5 I heard the good news this year, and in addition to
6 what is it, \$27 for the HMS license, is the fees
7 still the same for the 2005 season. We have an
8 internal catch of mahi mahi and sometimes wahu.
9 That's another \$70 I have to now apply to the south
10 east senate to get a permit for that, which I am
11 trying to figure out which year I started my
12 cooperation and probably be in jail by the time the
13 next meeting comes about but, you know, we have a
14 license and the difference between MERFs, which is
15 voluntary for the most part because of someone
16 rejects the MERF survey, they just wont get the heck
17 off the deck at least in Montauk. And they have no
18 respect for them.

19 I don't mean the survey, as an individual
20 as I am talking about the procedure and secondly for
21 higher survey I must be the only one in it. Because
22 I get called every week for that one. I just called
23 them the other day, I said, I just told you a week
24 ago I am not fishing till May 1. Please don't call
25 me every week and have me send this thing in and so

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1 forth, and that, I am saying this facetiously of
2 course, but there is something wrong with a survey
3 like that, which is also a voluntary survey. And I'm
4 the first one to push in support of the service here
5 to do the survey work.

6 But you try telling that to guys who see
7 these things, you know, year after year is just
8 taking their time. The VTRs or some other similar
9 form, I don't care what format it takes, is a
10 mandated, enforceable survey. Those in it take a
11 risk every time they violate it. And if they get
12 caught violating it, they will get punished one way
13 or the other. It is the only survey that has any
14 real threat behind it and I to this day do not know
15 why you don't utilize it more. I have my suspicions,
16 but that's something else. Well, thank you, but you
17 really should utilize the tool that you have to do
18 acute reporting on the fisheries.

19 MODERATOR CHRISTOPHER ROGERS: Richard
20 Ruais. Thanks Rich, Robert Pride.

21 MR. PRIDE: Thank you Chris. You know, I
22 guess I have to add my two sentences to the comments
23 around the table about a census. We met in New
24 Orleans in 1996 and had this discussion the first
25 time that I had participated fully, and yet the

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1 services, you know, years later are still talking
2 about doing something different. And about the only
3 thing that is going on different is we are having the
4 NRC take a second look at the process. After they
5 already looked at it in 2000, so, I mean, let's
6 encourage the service through whatever means that you
7 guys have at your disposal to get off -- get off its
8 duff and get this done. Let's get the census process
9 in place. Thank you.

10 MODERATOR CHRISTOPHER ROGERS: Well, just
11 for the record, we do have a mandatory census program
12 in effect, in two states it involves a catch card,
13 Maryland and North Carolina. In the other states it
14 involves either a web based report or a touch-tone
15 toll free telephone call. And if you had a chance to
16 review the Ad Hoc committee report, you could see
17 that the compliance rate with respect to the web or
18 telephone reporting are pretty dismal. At least as
19 we can measure them. And that's -- in the order of
20 anywhere from 15 or 0 in some states to 15 or 25
21 percent.

22 So the -- that system is predicated on the
23 permit, but obviously we don't have the buy in from
24 the ranking file recreational community whether it's
25 the for higher sector or the private boat sector, we

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1 have made some target enforcement efforts and that
2 has resulted in, I guess, you could say temporary
3 upward adjustments in the participation rate, but it
4 hasn't been long lasting and the question is, what do
5 we do now. We have engaged certain states in the
6 partnership with respect to the catch cards and
7 that's a much more effective approach. I understand
8 what Jim Donofrio presented as an alternative, and do
9 tie that to permit renewals.

10 So, either a negative report or some
11 positive report need to come in, or you would
12 precluded from renewing the permit. Certainly these
13 are approaches that can be taken, we'll have to take
14 them under advisement given the amount of money we
15 have to spend on implementing them, and you certainly
16 mailing out catch cards to 10, 15, 20,000 anglers,
17 its going to -- its going to take some resources to
18 monitor a program like that and make sure that the
19 cards are coming back in. But its durable, it works
20 in Washington state, it works in other states with
21 catch card programs and we will have to take a look
22 at how we can implement it, how much it will cost and
23 how quickly we can get them on line.

24 Again I am quite pleased with the ability
25 we have had to partner with North Carolina and

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1 Maryland on those catch card programs, they are
2 predicated on us providing some funds, but the state
3 provided the personal in order to get it done. You
4 had a follow-up coming Bob.

5 MR. PRIDE: Just that, you know, you
6 covered in your comments when you said that there
7 needs to be some mechanism for making sure people
8 comply and I think this renewal or non renewal of the
9 permit is about the only stick that we've got -- that
10 we can all point out and say that, it would work,
11 thank you,

12 MODERATOR CHRISTOPHER ROGERS: Jim Donofrio
13 or Rick Weber. And then Bob Zales.

14 MR. DONOFRIO: Chris, thanks. You know,
15 regarding the, you know, the cost of this, I will
16 never say I speak for the entire sport fishing
17 industry, but I can tell, I talk to a lot of people
18 including Rick's dad and others who are involved in
19 this sport fishing industry, whether you have a 25
20 foot or 24 foot center console or you own a 50 foot
21 hatter or something like that, it doesn't matter.
22 You've got a lot of money invested in sport fishing.

23 Just a spool of line today is ridiculous. I mean,
24 if you had it up to \$50 a year, and make it accurate,
25 its no big deal. You know, to get -- to get the

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1 catch card going. So the problem is nobody wants to
2 spend \$27 on a tax that they get nothing from.
3 That's the big beef, and I think that's why you don't
4 have the compliance. I suspect there is probably
5 another forty or fifty thousand boats there that --
6 that are probably fishing illegally, I mean, my god,
7 look at how many boats there are from Florida up to
8 the Gulf of Maine, and only 22,000 permits are out
9 there, it doesn't make any sense. They are not
10 getting anything from it. You show them -- you
11 demonstrate to the recreational community, you are
12 going to get something for this permanent. I bet
13 you'll see more compliance, even more people signing
14 up for it, so you get the data.

15 MODERATOR CHRISTOPHER ROGERS: Thanks Jim.

16 Rick Weber and Bob Zales.

17 MR. WEBER: Just along the same lines where
18 Jim was going, I heard Bob say it's the only stick
19 we've got. I'd like to look for a cared idea and,
20 you know, not that you guys need to be the ones
21 coordinating this, but before you put something like
22 a mandatory log through on the racks. Let us try to
23 make it recreational rather than feeling like a new
24 onerous reporting requirement. Let us work within
25 the industry and see if we can get a sponsor, a

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1 price, an event, a drawing or something, somehow to
2 celebrate or recognize those people that are actively
3 turning in their cards, let us partner with you and
4 try to make it -- lets bring it through as a positive
5 thing, that was all just a different idea of getting
6 more compliance.

7 MODERATOR CHRISTOPHER ROGERS: Thanks Rick,
8 Bob Zales, and then we'll let Russ go, and then Jack
9 Devnew. Welcome Jack, I failed to recognize you when
10 you came in.

11 MR. ZALES: The one point that you had
12 about the enforcement problem with the call in and I
13 brought this to your attention, it may have been at a
14 meeting or back something, I think Russell Dunn was
15 there. Back this summer, I had a call from a charter
16 captain who caught a swordfish. He had all the
17 permits and I haven't looked at my permits, so I
18 can't be sure, you can correct me if I'm wrong. But
19 I don't believe the call in number is on the permit
20 that we get. He didn't know who to call, did know
21 how to find the number. So he tracked me down three
22 days later and I gave him the information.

23 So that's part of the problem, I think that
24 it's not so much that people are not wanting to do
25 something, it is that they are not going to go crazy

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1 looking for something. It should be provided fairly
2 easy for them to get. And in my travels across the
3 country as president of NACO. Every place I go,
4 whether it is for hire or whether it is a purely
5 private rig person, probably, I must say a 100
6 percent of them, because I really haven't had any of
7 them tell me they don't want good numbers. They all
8 tell me they want to better with it.

9 They don't like the numbers that are there,
10 because nobody believes them. They want to do
11 something, why can't I give you numbers, I always --
12 how can we give -- tell people how we fish, what we
13 do, who can we give that information to and when you
14 try to explain to them the randomness and all the
15 stuff that goes along with trying to collect data in
16 a statistical formula, they don't understand that.
17 So like Dick said there is a way that you can get the
18 private sector involved in this. They are begging to
19 give information to you. For some reason or the
20 other nobody seems willing to try to get it. So, you
21 know, that's why we have encouraged and pushed and
22 tried to be active in this thing to try to figure out
23 a better way and get many minds involved and try to
24 have somebody bring the answer to you'll that you
25 will listen to.

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1 But many times it just seems like all this
2 information has fallen on deaf ears, and nobody wants
3 to work with it, because you hear this complaint like
4 I said earlier, everywhere you go this is the number
5 one complaint that you hear in fisheries management.

6 MODERATOR CHRISTOPHER ROGERS: Okay, thanks
7 Bob. Russ you had a point on the marlin colin,
8 (phonetic) swordfish colin?

9 MR. DUNN: Well, it's on marlin-specific or
10 -- not only marlin but also just the reporting issue
11 generally. Now, I don't -- I am not questioning
12 anyone's sincerity here in terms of the desire for
13 better data. But there is a massive disparity in
14 what we are hearing around the table here and what
15 the reality is in terms of actions to help purport
16 fish. Last year, in 2004, we had swordfish reported
17 from Florida, Massachusetts and Alabama. So there
18 were no fish called in from anywhere else. We had
19 shellfish called in from only the state of Florida
20 and we had blue marlin called in from only New Jersey
21 and Puerto Rico -- for which species, blue marlin,
22 New Jersey and Puerto Rico. And so while everyone
23 sits here and says, oh we want better data and we all
24 need it, we all agree the data is not great. I am
25 having a tough time believing that people are going

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1 to go and fill out catch cards, I like Jimmy's idea,
2 I think its great if people could -- and I think
3 there is an enforcement hook there, because like you
4 said, the guy comes on the boat and what not.

5 But I'm skeptical that if no one will pick
6 up the phone and make a phone call, that they are
7 going to fill out the card and mail that in. And its
8 just there's a huge disparity between what we're
9 seeing here -- hearing here and what we're seeing on
10 the ground. That's my point.

11 MODERATOR CHRISTOPHER ROGERS: But they
12 were no longer talking about -- Yes, Jack has an
13 observation that we were talking about, northern
14 albacore and now we're into recreational data
15 collections. It's certainly --

16 (Laughter)

17 MODERATOR CHRISTOPHER ROGERS: Certainly
18 much broader. I believe we concluded our discussion
19 on northern albacore for the most part anyway. But
20 Jack Devnew was next on the list and then we'll go
21 for shore hands after Jack.

22 JACK DEVNEW: Thanks, Chris. Sorry, I was
23 late too. Anyway, I certainly am very supportive and
24 applaud the efforts that I've heard about data
25 collection hear around the table. So -- very welcome

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1 news. And supportive of the move from survey to
2 census. However couple of comments just recently
3 here between Jimmy and Rick made me pause for some
4 concern there. You know, if we have a huge reporting
5 problem here, in terms of willingness, first off,
6 Jim, I think you're going to need to move past the
7 \$27 and get nothing for it, because we've been used
8 to that for a very long time. And now in the
9 commercial fishery, I think that's just the nature of
10 beast you pay your money and you get your license and
11 your go fish into the best of your, you know, things.

12 But I don't think you should expect something in
13 particular in return.

14 It's not like it's going to be, you know,
15 earmarked money for recreational data collection or
16 something. I think that goes into the great morass
17 that is up here. But -- and then to Rick's point,
18 and -- if we're going to move from a survey to a
19 census, which is great, the problem with it is if you
20 have 40,000 to 50,000 boats, and you're getting such
21 a lack of reporting, how can you call it a census.
22 Where do you -- how do you -- it's either a census,
23 and everybody's got to do it? You know, you can't
24 have rewards for people to do it. They got to do it
25 or not. Otherwise it's not a census. And to have it

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1 represented, be represented as such would be
2 erroneous.

3 MODERATOR CHRISTOPHER ROGERS: All
4 right, I think we had a number of folks who wanted to
5 respond on this point. Let me go for some folks, who
6 haven't had a chance yet. Rick Weber, yes.

7 MR. WEBER: Jack, there was nothing in my
8 statement that I meant to say that it was voluntary.

9 It was totally mandatory. I was simply saying it's
10 a presentation issue to the public at large of
11 whether they're looking at it as a negative or a
12 neutral. I don't think there -- I don't -- I don't
13 necessarily agree with Bob that everyone's rushing to
14 give it. If we tell them it must be done, there is
15 an opportunity just to make it not seem as bad by
16 saying, "Hey" when you do, we'll find sponsors or do
17 something just to make it a little less onerous in
18 appearance, but totally mandatory. I'm with you on
19 that. Can't be voluntary.

20 MODERATOR CHRISTOPHER ROGERS: All right,
21 we've had a number of folks who wanted to speak, we
22 have filled the void so to speak. It's 5:00 o'clock.

23 We were going to try to deal with some information
24 from Louis Daniel, but the time has escaped us. We
25 can go on for another few minutes, but I expect that

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1 folks who have traveled today are probably tired and
2 want to get on. We will have an opportunity to
3 discuss this with bluefin management tomorrow
4 evening. But obviously information to data
5 collection on recreational fisheries is broader than
6 just bluefin. So I think Pete Manuel and then Bob
7 Fitzpatrick. And then we'll call it an evening.

8 MR. MANUEL: He gets penalized when he
9 breaks the law. If you're going to -- if the
10 recreational community is going -- total community
11 across the board, if one sector is blistered
12 financially when they blatantly break the law, then
13 the other sector should be. And if we're going to --
14 the bottom line is we're looking for the future for
15 our children or grand kids, what they can catch by
16 managing the fisheries. And one sector should not be
17 held in any different standards than the other. If
18 the recreational community breaks the law, then they
19 should get a heavy nova (phonetic). Just like the
20 commercial. That's all I want to say.

21 MODERATOR CHRISTOPHER ROGERS: Jim Donofrio
22 and Bob Fitzpatrick.

23 MR. DONOFRIO: Chris, thanks. This is in
24 response to Russell and also to Jack. First of all,
25 you know, it's not for me to get over it because I'm

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1 overwritten. I can tell you right now if you go on
2 websites, if you talk to guys on the dock, whatever,
3 look at them at night, there is a tea party mentality
4 in some of the community, sport fishing community.
5 It's a tea party. To them it's like taxation without
6 representation. That's how they feel on this whole
7 HMS permit thing. I mean, I'm just amazed that there
8 are so many boats from Florida to Gulf of Maine, I'll
9 make that point again, and only 22,000 people are
10 fishing for HMS species.

11 I find that very hard to believe. Give
12 these guys something; give them some confidence Ross,
13 that's what it comes down to. Show them you're going
14 to have something that they have confidence in. And
15 next thing you know, they're going to buy into it.
16 They're not going to buy into a system they don't
17 believe in. And Geoffrey Dodskey's (phonetic) here.
18 He can tell you. He's going to need about 18,000
19 agents then in order to enforce it. Just give them
20 something; they'll comply if they have something they
21 believe in.

22 You don't have enough enforcement right
23 now. You can never ever enforce the law the way it
24 is. But give them some neck and believe in. That's
25 the conversation we had down in ICCAT with the

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1 admiral.

2 And I think Jack and all, if you were
3 sitting were Bill would, we just told the admiral the
4 same thing. Give us something we can believe in.
5 You'll see these guys complying. That's what it
6 comes down to.

7 MODERATOR CHRISTOPHER ROGERS: Thanks
8 Jimmy, Bob Fitzpatrick.

9 MR. FITZPATRICK: Coming from the
10 commercial sector, I'm kind of missing something
11 here. I look at recreational hunters all over the
12 United States. And there are many, many, many, many,
13 many tens of thousands of them who are burdened to
14 use the word that's used frequently with reporting
15 requirements. You tag your deer-- you get your
16 hunting license, you tag your deer, you follow the
17 system. If you don't and you get caught with a deer
18 without a tag that's jacking deer. And you're not
19 hunting, in that state for a long time. If fact, you
20 might have to pay a big fine, they may take your
21 weapons. How about if they take somebody's boat, if
22 they get caught with an untagged fish.

23 I think I -- Massachusetts and the
24 recreational lobster fishery has that card and
25 annually, being a diver, who used to catch a lot of

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1 them, I've experienced it. So annually you have to
2 send it in. And if you don't send it in, you don't
3 get a new one. Now if you combine that, Jim's catch
4 card with tags, and I can assure you that little
5 plastic tags cost next to nothing, they cost pennies.

6 And you -- with every permit you send 30 tags, 20
7 tags. Whatever number you come up with. And that
8 recreational angler had better not only have a
9 permit, he'd better have that fish in the boat with a
10 tag in it. And if he doesn't he has hell to pay.

11 And if you don't put some teeth in it, no
12 one will look at -- look at the telephone survey, I
13 mean, with 5 percent or less reporting -- this is
14 crazy and all we do is talk about this year after
15 year after year. There are models in place in almost
16 every state in the union. Look what North Carolina
17 did with bluefin. Look what Maryland did. How come
18 the federal government can't do it? What am I
19 missing, and I really don't like this thing about the
20 burden on the angular or the burden on the skipper.

21 I'm faxing cards everyday under penalties
22 of death. You know, I shouldn't say that -- I'll get
23 fined, shortly. Pretty soon I'll get a Nova in the
24 mail saying, "Yeah, we remember that." But, you
25 know, so I missed something here. It's like common

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1 sense sort of, when we get into this area, just out
2 of the window. Clue me in, why can't there be hell
3 to pay, if you don't a tag, in your bluefin tuna. Is
4 it hard to like fix it? Is it the pennies that it
5 costs. We're spending how many hundreds or thousands
6 of dollars for Quantec to falsely count the number
7 they are getting, or maybe they are right, who knows.

8 But we're spending hundreds of thousands or dollars
9 on a god damn survey that doesn't work. How about if
10 we take a 100 grand of that we spend it on tags and
11 cards. What a great idea uh? And then if you get
12 caught and also at the end of the year, you've got to
13 send your tags in too with your card that's all
14 filled out. You send in your clips of tags with the
15 ones that you tagged missing, and the numbers better
16 line up. Clue me in.

17 MODERATOR CHRISTOPHER ROGERS: All right,
18 well it's not just the pennies on the tags, but it's
19 the other aspects of it that you've taken.

20 MR. FITZPATRICK: Quantec's money.

21 MODERATOR CHRISTOPHER ROGERS: Bob
22 McAuliffe and Joe McBride and then we'll call it an
23 evening. All right, Bob McAuliffe and then Joe
24 McBride.

25 MR. McBRIDE: This is slight change in

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1 subject. At the ICCAT meeting I challenged
2 (inaudible) for a rum taste. He didn't show up with
3 his rum. I've got several bottles of rum up stairs
4 that I can't take home, would you like to do it now
5 or tomorrow, because you can't do it the last day.
6 Just show hands when you want to consume this.

7 MODERATOR CHRISTOPHER ROGERS: I think Joe
8 McBride had some champagne for us, was that what you
9 wanted to intervene Joe?

10 MR. McBRIDE: That's what I was going to
11 say. Just in my arguments here, because I'm
12 listening to these analogies and criticisms of the
13 industry and Russ to answer you, human nature being
14 what it is and I think a number of commercial guys
15 were good enough to castigate the recreational side.

16 Enforcement is the whole ballgame. And if you don't
17 enforce a regulation, don't make a regulation. I
18 don't care what it is, that's number 1. In New York
19 State the local DEC boards, it inspects of federal
20 regulation as well they do on the state regulation.
21 But let me ask you this question in my ignorance. On
22 a public resource, any fishery, it doesn't make any
23 difference. I already know the answer, what does it
24 cost? The cost that I gave you was \$27 for HMS, \$50
25 if you want to catch a dolphin or a Wahoo. So now

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1 your getting close to a \$100, which there really
2 should be one license, a federal license for
3 everything, everybody recorded, but holding that to
4 the side, what does it cost a dragger federally to go
5 dragging in somewhere in the winger. What licenses,
6 how much money?

7 SPEAKER: Zero.

8 MR. McBRIDE: They are under your
9 jurisdiction.

10 SPEAKER: Well, the northeast multispecies
11 --

12 MR. McBRIDE: I am sorry?

13 SPEAKER: Northeast multispecies permits
14 are issued without charge currently.

15 MR. McBRIDE: There's no charge, so if Joe
16 McBride want to take his dragger out and go fishing
17 it -- there's no choice. There is not a \$27 charge,
18 there is not a \$50 charge?

19 SPEAKER: No.

20 MR. McBRIDE: Okay. If I were in that
21 category I would be very happy, believe me.

22 SPEAKER: Bill Hogarth has initiated a
23 national review of permitting systems with the intent
24 of consolidating and making them uniform including a
25 uniform fee standards so --

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1 MR. McBRIDE: Yes.

2 SPEAKER: That will be --

3 MR. McBRIDE: My point I am being a little
4 sarcastic I -- you know, we are willing to pay our
5 way and I'm -- I'm not being facetious when I tell
6 you don't make the law if you're not going to enforce
7 the law. And that's the only valid criticism I see
8 here to the recreational lack of support of whatever
9 the regulations are, but on the other side of the
10 coin we are paying are way and we should get
11 something beneficial to our industry and I'm going to
12 speak specifically to the sport fishing industry for
13 the money we're paying up front, and I'm not
14 criticizing the commercial for not paying, they are
15 lot smarter than we are if they are not paying, if
16 this is a fact what I'm hearing here from you ladies
17 and gentleman here today. Thank you.

18 MODERATOR CHRISTOPHER ROGERS: All right,
19 thank you all. It's ten after five, we're starting
20 again at 8 o'clock tomorrow morning. So, please be
21 prompt and we'll get through our agenda.

22 (Whereupon, the above-entitled matter was
23 adjourned for the evening).
24
25

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